

PRESIDENTIAL DECREE NO. 1986

with

**2004 Implementing Rules and Regulations, as amended,
and Latest Issuances**

(Updated as of 03 October 2012)

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PRESIDENTIAL DECREE No. 1986

CREATING THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD

WHEREAS, the movie and television industry has been beset with manifold and multifarious problems accented by its nebulous stance towards the Board of Review for Motion Pictures and Television reorganized under Executive Order No. 876-A;

WHEREAS, the movie and television industry is now on the brink of economic collapse, that unless remedial measures are undertaken, this grave emergency facing the industry will be a roadblock to the early economic recovery program of the government;

WHEREAS, there is an urgent need to rationalize the movie and television industry vis-a-vis the body regulating and supervising its operations;

WHEREAS, a regulatory body must not only function in reviewing and censoring films or television programs brought before it but must also initiate the plans and cooperate with the industry to improve, upgrade and make viable the industry as one source of fueling the national economy;

WHEREAS, the disqualification of persons engaged in or connected with the movie and television industry from membership in the existing Board of Review for Motion Pictures and Television has deprived said Board of innovative and fresh ideas toward the improvement and development of the film and television industry;

WHEREAS, the participation of the leaders of the various sectors of the industry could be a prelude to self-regulation and policing by the members themselves once they have demonstrated their maturity, self-reliance and dependability;

WHEREAS, unless the grave emergency confronting the movie and television industry is remedied with dispatch, it will weaken the designed chain of the economic measures to achieve an early economic recovery of the country, not to mention the collapse of the industry and the loss of livelihood of about 75,000 families and 500,000 workers dependent on the industry.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree:

Section 1. *Creation.* - There is hereby created a Movie and Television Review and Classification Board, hereinafter referred to as the Board, under the Office of the President of the Philippines. The BOARD shall have its principal office in Metropolitan Manila.

Section 2. *Composition; Qualifications; Benefits.* - The BOARD shall be composed of a Chairman, a Vice-Chairman and thirty (30) members, who shall all be appointed by the President of the Philippines. The Chairman, the Vice-Chairman, and the members of the BOARD, shall hold office for a term of one (1) year, unless sooner removed by the President for

any cause; *Provided*, that they shall be eligible for re-appointment after the expiration of their term. If the Chairman, or the Vice-Chairman or any member of the BOARD fails to complete his term, any person appointed to fill the vacancy shall serve only for the unexpired portion of the term of the BOARD Member whom he succeeds.

No person shall be appointed to the BOARD, unless he is a natural-born citizen of the Philippines, not less than twenty-one (21) years of age, and of good moral character and standing in the community; *Provided*, that in the selection of the members of the BOARD due consideration shall be given to such qualifications as would produce a multi-sectoral combination of expertise in the various areas of motion picture and television; *Provided, further*, That at least five (5) members of the BOARD shall be members of the Philippine Bar. *Provided, finally*, that at least fifteen (15) members of the BOARD may come from the movie and television industry to be nominated by legitimate associations representing the various sectors of said industry.

The Chairman, the Vice-Chairman and the other members of the BOARD shall be entitled to transportation, representation and other allowances which shall in no case exceed FIVE THOUSAND PESOS (P5,000.00) per month.

Section 3. Powers and Functions. - The BOARD shall have the following functions, powers and duties:

- a) To promulgate such rules and regulations as are necessary or proper for the implementation of this Act, and the accomplishment of its purposes and objectives, including guidelines and standards for production, advertising and titles. Such rules and regulations shall take effect after fifteen (15) days following their publication in newspapers of general circulation in the Philippines;
- b) To screen, review and examine all motion pictures as herein defined, television programs, including publicity materials such as advertisements, trailers and stills, whether such motion pictures and publicity materials be for theatrical or non-theatrical distribution, for television broadcast or for general viewing, imported or produced in the Philippines, and in the latter case, whether they be for local viewing or for export;
- c) To approve or disapprove, delete objectionable portions from and/or prohibit the importation, exportation, production, copying, distribution, sale, lease, exhibition and/or television broadcast of the motion pictures, television programs and publicity materials subject of the preceding paragraph, which, in the judgment of the board applying contemporary Filipino cultural values as standard, are objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence or of a wrong or crime, such as but not limited to:
 - i. Those which tend to incite subversion, insurrection, rebellion or sedition against the State, or otherwise threaten the economic and/or political stability of the State;
 - ii. Those which tend to undermine the faith and confidence of the people in their government and/or the duly constituted authorities;
 - iii. Those which glorify criminals or condone crimes;

- iv. Those which serve no other purpose but to satisfy the market for violence or pornography;
- v. Those which tend to abet the traffic in and use of prohibited drugs;
- vi. Those which are libelous or defamatory to the good name and reputation of any person, whether living or dead; and
- vii. Those which may constitute contempt of court or of any quasi-judicial tribunal, or pertain to matter which are sub-judice in nature.

Provided, however, that deletions or cuts must not be made on the master negative of the films, and that such master negative shall be deposited with the Film Archives of the Philippines and shall be released for export purposes to the film owner only upon showing of the proper export permit; *Provided, finally*, that the film owner shall execute his own undertaking that such master negative shall be exclusively used for export purposes and not for local viewing;

- d) To supervise, regulate, and grant, deny or cancel, permits for the importation, exportation, production, copying, distribution, sale, lease, exhibition, and/or television broadcast of all motion pictures, television programs and publicity materials, to the end that no such pictures, programs and materials as are determined by the BOARD to be objectionable in accordance with paragraph (c) hereof shall be imported, exported, produced, copied, reproduced, distributed, sold, leased, exhibited and/or broadcast by television;
- e) To classify motion pictures, television programs and similar shows into categories such as "G" or "For General Patronage" (all ages admitted), "P" or "Parental Guidance Suggested", "R" or "Restricted" (for adults only), "X" or "Not for Public Viewing", or such other categories as the BOARD may determine for the public interest;
- f) To close movie houses and other similar establishments engaged in the public exhibition of motion pictures and television programs which violate the provisions of this Act and the rules and regulations promulgated by the BOARD pursuant hereto;
- g) To levy, assess and collect, and periodically adjust and revise the rates of, fees and charges for the work of review and examination and for the issuance of the licenses and permits which the BOARD is authorized to grant in the exercise of its powers and functions and in the performance of its duties and responsibilities;
- h) To deputize representatives from the government and from the various associations in the movie industry, whose main duties shall be to help ensure compliance with all laws relative to the importation, exportation, copying, distribution, sale, lease, exhibition and/or television broadcast of motion pictures, television programs, advertisements and publicity materials. For this purpose, the BOARD may constitute such Regulatory Council or Councils composed of representatives from the government and the movie and television industry as may be appropriate to implement the purposes and objectives of this Act. The BOARD may also call on any law enforcement agency for assistance in the implementation and enforcement of its decisions, orders or awards;

- i) To cause the prosecution, on behalf of the People of the Philippines, of violators of this Act, of anti-trust, obscenity, censorship and other laws pertinent to the movie and television industry;
- j) To prescribe the internal and operational procedures for the exercise of its powers and functions as well as the performance of its duties and responsibilities, including the creation and vesting of authority upon sub-committees of the BOARD for the work of review and other related matters; and
- k) To exercise such powers and functions as may be necessary or incidental to the attainment of the purposes and objectives of this Act, and to perform such other related duties and responsibilities as may be directed by the President of the Philippines.

Section 4. *Decision.* - The decision of the BOARD either approving or disapproving for exhibition in the Philippines a motion picture, television program, still and other pictorial advertisement submitted to it for examination and review must be rendered within a period of ten (10) days which shall be counted from the date of receipt by the BOARD of an application for the purpose, together with motion picture, television program, still or other pictorial advertisement to be reviewed.

For each review session, the Chairman of the BOARD shall designate a sub-committee composed of at least three (3) BOARD Members to undertake the work of review. Any disapproval or deletion must be approved by a majority of the sub-committee members so designated. After receipt of the written decision of the sub-committee, a motion for reconsideration in writing may be made, upon which the Chairman of the BOARD shall designate a sub-committee of five (5) BOARD Members to undertake a second review session, whose decision on behalf of the BOARD shall be rendered through a majority of the sub-committee members so designated and present at the second review session. This second review session shall be presided over by the Chairman, or the Vice-Chairman, or by a member designated by the Chairman. The decision of the BOARD in the second review session shall be rendered within five (5) days from the date of receipt of the motion for reconsideration.

Every decision of the BOARD disapproving a motion picture, television program or publicity material for exhibition in the Philippines must be in writing, and shall state the reasons or grounds for such disapproval. No film or motion picture intended for exhibition at movie houses or theaters or on television shall be disapproved by reason of its topic, theme or subject matter, but upon the merits of each picture or program considered in its entirety.

The second decision of the BOARD shall be final, with the exception of a decision disapproving or prohibiting a motion picture or television program in its entirety which shall be appealable to the President of the Philippines, who may himself decide the appeal, or be assisted either by an *ad hoc* committee he may create or by the Appeals Committee herein created.

An Appeals Committee in the Office of the President of the Philippines is hereby created composed of a Chairman and four (4) members to be appointed by the President of the Philippines, which shall submit its recommendations to the President. The Office of the Presidential Assistance for Legal Affairs shall serve as the Secretariat of the Appeals Committee.

The decision of the President of the Philippines on any appealed matter shall be final.

Section 5. *Executive Officer.* - The Chairman of the BOARD shall be the Chief Executive Officer of the BOARD. He shall exercise the following functions, powers and duties:

- a. Execute, implement and enforce the decisions, orders, awards, rules and regulations issued by the BOARD;
- b. Direct and supervise the operations and the internal affairs of the BOARD;
- c. Establish the internal organization and administrative procedures of the BOARD, and recommend to the BOARD the appointment of the necessary administrative and subordinate personnel; and
- d. Exercise such other powers and functions and perform such duties as are not specifically lodged in the BOARD.

The Chief Executive Officer shall be assisted by an Executive Director who shall be appointed by the President of the Philippines. The Executive Director shall hold office for a term of one (1) year, unless sooner removed by the President of the Philippines for any cause; *Provided*, that any appointee shall be eligible for re-appointment after the expiration of his term.

Unless otherwise provided by law, the Chief Executive Officer shall receive an annual salary of SEVENTY TWO THOUSAND PESOS (P72,000.00) and the Executive Director shall receive an annual salary of SIXTY THOUSAND PESOS (P60,000.00).

Section 6. *Examination and Review.* - Except members of the BOARD, persons specifically authorized by the BOARD, and two representatives each of the distributor and/or producer and exhibiter of the motion picture, television program or publicity material under examination and review, no person shall be allowed inside the screening room during the examination and review of said motion picture, television program or publicity material. Before each review session, the distributor or producer shall submit to the BOARD a sworn statement declaring the exact number of prints made for the picture or material to be examined or reviewed.

Section 7. *Unauthorized showing or exhibition.* - It shall be unlawful for any person or entity to exhibit or cause to be exhibited in any movie house, theater or public place or by television within the Philippines any motion picture, television program or publicity material, including trailers, and stills for lobby displays in connection with motion pictures, not duly authorized by the owner or his assignee and passed by the BOARD; or to print or cause to be printed on any motion picture to be exhibited in any theater or public place or by television a label or notice showing the same to have been officially passed by the BOARD when the same has not been previously authorized, except motion pictures, television programs or publicity material imprinted or exhibited by the Philippine Government and/or its departments and agencies, and newsreels.

Section 8. *Posting or Display of Certificate or Label.* - The motion picture exhibitors shall post and/or display the certificate or label of approval of the motion picture by the BOARD, and shall post or display, or cause to be posted or displayed, the said certificate or label at conspicuous places near the entrances to theaters or places of exhibition, and shall include in all their cinema advertisements announcements stating the classification, as provided in Section 3 (e) hereof, of the motion picture being exhibited or advertised.

Section 9. *Admission to Moviehouses or Theaters.* - It shall be unlawful for any person below eighteen years of age to enter, to misrepresent or make use of any false evidence about his or her age in order to gain admission into, a movie house or theater showing a motion picture classified as "Restricted" or "For Adults Only" by the BOARD. It shall be also unlawful for any employee of a movie house or theater to sell to, or receive from, another person known to the former to be below eighteen years of age any admission ticket to the exhibition of motion pictures classified as "Restricted" or "For Adults Only". In case of doubt as to the age of the person seeking admission, the latter shall be required to exhibit his or her residence certificate or other proof of age.

Section 10. *Definition of Terms.* - For purposes of this Act, the following terms shall mean:

1. *Motion Picture* - A series of pictures projected in a screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move, whether the picture be black and white or colored, silent or with accompanying sound, on whatever medium and with whatever mechanism or equipment they are projected, and in whatever material they are preserved or recorded for instant projection, for the purpose of this Act, the material in which the motion picture is contained, preserved, or recorded, forms an integral part of the motion picture subject of this Act.
2. *Television Broadcast* - Public showing by transmitting sound or images by television or similar equipment, including cable television, and other limited audience distribution.
3. *General Viewing* - Making motion pictures available to general public for its viewing through convenient film packs or similar materials sold, leased, or lent in commercial outlets, public lending clubs, and similar organizations.
4. *Non-Theatrical Distribution* --
 - a. Public showing of long and short motion pictures through the use of mobile projection equipment not imposing admission fee.
 - b. Showing long or short motion pictures to organizations, societies, clubs, groups, etc. Such as films for children, educational, documentary, cultural, scientific, newsreel, industrial, sales, public relations, and instructional films.
5. *Theatrical Distribution* - Public showing and/or exhibition in any cinema or theater or in any other place of motion pictures imposing admission fees on persons for entertainment, education, information and advertising.
6. *An Adult* - is any person eighteen (18) years of age or over.

7. *Review Session* - shall mean the review and examination of motion pictures, television programs and similar shows, or publicity materials, by the BOARD.

Section 11. *Penalty.* - Any person who violates the provisions of this Decree and/or the implementing rules and regulations issued by the BOARD, shall, upon conviction, be punished by a mandatory penalty of three (3) months and one day to one (1) year imprisonment plus a fine of not less than fifty thousand pesos but not more than one hundred thousand pesos. The penalty shall apply whether the person shall have committed the violation either as principal, accomplice or accessory. If the offender is an alien, he shall be deported immediately. The license to operate the movie house, theater, or television station shall also be revoked. Should the offense be committed by a juridical person, the chairman, the president, secretary, treasurer, or the partner responsible therefore, shall be the persons penalized.

The provisions of Presidential Decree No. 968, as amended (Probation Law) shall not apply in cases of violations of this Decree.

Section 12. *Banning of Motion Pictures and Television Programs.* - In the event a motion picture or television program, after examination and review by the BOARD, is declared unfit for exhibition in the Philippines, the said motion picture or television program shall be returned by the importer or distributor thereof to the country of origin or to any other place outside of the Philippines within a period of thirty days, which shall be counted from the date of receipt by the importer or distributor of the decision of the BOARD banning the motion picture or television program for exhibition in the Philippines, and all customs duties and internal revenue taxes paid by the importer or distributor on account of the importation to and entry into the Philippines of the said motion picture or television program shall be automatically refunded by the government office concerned to the said importer or distributor. A copy of the decision of the BOARD banning a motion picture or television program for exhibition in the Philippines shall be furnished to the Commissioner of Internal Revenue and to the Collector of Customs of the port of entry of the said motion picture or television program, and the same shall constitute a sufficient authority to the Commissioner of Internal Revenue and the Collector of Customs concerned to refund the internal revenue taxes and customs duties paid by the importer or distributor on account of the importation of the banned motion picture or television program.

Section 13. *Inspection.* - In addition to its powers vested by law, and for the effective enforcement of the provisions of this act, the BOARD or its duly authorized representatives shall have the power to inspect all public exhibitions of any motion picture or publicity material in movie houses, theaters and other public establishments, and in any case, upon discovery of any motion picture or publicity material which, although previously approved by the BOARD, has been tampered with to introduce any unapproved matter, to immediately seize the article containing or incorporating such unapproved matter and to cause the prosecution of the person(s) responsible for the violation of this Act, Presidential Decree No. 49 and/or the Revised Penal Code, as amended.

Upon conviction of the violator(s), the materials seized as well as the other proceeds or instruments of the crime shall be disposed of in accordance with the Revised Penal Code, as amended.

Section 14. *Manila Film Center.* - Motion pictures imported or produced by the management of the Manila Film Center whether singly or in joint venture with Filipino or foreign citizens, corporations or groups shall not be subject to the jurisdiction, supervision and control of the BOARD; Provided, That, such motion pictures are exhibited or shown only in the Film Center; Provided, further, That such motion pictures shall be subject to review and examination by the BOARD in case they are distributed for general viewing elsewhere in the Philippines.

Section 15. *Abolition of the Board of Review for Motion Pictures and Television.* - The Board of Review for Motion Pictures and Television (BRMPT) created under Republic Act No. 3060, as amended, is hereby abolished, and its powers and functions are hereby transferred to the BOARD. Such transfer shall include the corresponding balances of appropriations, records, equipment, properties, and such personnel as may be necessary; Provided, that the BOARD shall effect the transfer herein provided in a manner that will ensure the least disruption of operations.

All personnel affected by the abolition shall be deemed separated from the service, unless re-appointed to appropriate positions in the BOARD. Any affected officer or employee not re-appointed, or who refuses his re-appointment, shall be paid the money value of his accumulated vacation and sick leaves and such retirement benefits as may be due to him under existing laws. Any person not qualified for retirement benefits shall be paid a fraction of more than six months being considered one whole year payable in lump sum based on the highest monthly salary received from the savings and salary lapses in the BRMPT.

The incumbent Chairman, Vice-Chairman and members, and personnel of the BRMPT shall continue to perform their duties and functions in a hold-over capacity, until the new Chairman and at least five members of the BOARD shall have been appointed and qualified.

Section 16. *Organizational Pattern Personnel.* - The BOARD shall determine its organizational structure and its staffing pattern. It shall have the power to suspend or dismiss for cause any employee and/or approve or disapprove the appointment, transfer or detail of employees. It shall appoint the Secretary of the BOARD who shall be the official custodian of the records of the meetings of the BOARD and who shall perform such other duties and functions as directed by the BOARD.

Section 17. *Applicability of Civil Service Law.* - The BOARD and its officers and employees shall be subject to the Civil Service Law, rules and regulations; Provided, that technical personnel shall be selected on the basis of merit and fitness to be determined in accordance with such policies and guidelines as may be approved by the BOARD.

Section 18. *Commission on Audit.* - The Chairman of the Commission on Audit shall be the *ex-officio* Auditor of the BOARD. For this purpose, he may appoint a representative who shall be the auditor of the BOARD, together with the necessary personnel to assist said representative in the performance of his duties. The number and salaries of the auditor and said personnel shall be determined by the Chairman of the Commission on Audit. Said salaries and all other expenses of maintaining the auditor's office shall be paid by the BOARD.

The Auditor shall, as soon as practicable, but not later than three (3) months after the accounts have been submitted to audit, send an annual report to the BOARD. The Auditor shall also submit such periodic or special reports as the BOARD may deem necessary or proper.

Section 19. *Annual Report.* - The BOARD shall, within three months after the end of every fiscal year, submit its annual report to the President. The annual report shall include, among others, a statement of the BOARD's accomplishments together with its plans and recommendations to improve and develop its operations and the supervision and regulation of the movie and television industry.

Section 20. *Sinking Fund.* - Notwithstanding any provision of law, rule or regulation, executive or administrative order to the contrary, there is hereby established a Sinking Fund, to be administered at all times by the BOARD, consisting of all such fees and charges levied, assessed, and collected by the BOARD which shall be at immediate disposal of the BOARD to be used exclusively for the operational and administrative expenses of the BOARD and for the acquisition of necessary facilities, supplies and equipment.

Section 21. *Assistance in the Enforcement Functions of the BOARD.* - The BOARD may solicit the direct assistance of other agencies and units of the government, and deputize, for a fixed and limited period, the heads or personnel of such agencies and units to perform enforcement functions for the BOARD. The government agencies and units exercising the enforcement functions for the BOARD shall, insofar as such functions are concerned, be subject to the direction and control of the BOARD.

Section 22. *Repealing Clause.* - Any provision, law, decree, executive or administrative order, rule or regulation inconsistent with this Decree, is hereby repealed, amended, or modified accordingly.

Section 23. *Separability Clause.* - The provisions of this Decree are hereby deemed separable. If any provision thereof be declared invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions which shall remain in full force and effect.

Section 24. *Effectivity.* - This Decree shall take effect after fifteen (15) days following its publication in the Official Gazette and/or in newspapers of general circulation in the Philippines.

Done in the City of Manila, this 5th day of October, in the year of Our Lord, Nineteen Hundred and Eighty-Five.

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PRESIDENTIAL DECREE NO. 1986

2004 IMPLEMENTING RULES AND REGULATIONS, as amended

Pursuant to Section 3 (a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (MTRCB), hereafter referred to as the BOARD, hereby enacts and promulgates the following Rules and Regulations.

Chapter I DEFINITION OF TERMS

As used in the Rules and Regulations, the following terms shall mean:

- (a) BOARD – The Movie and Television Review and Classification Board (MTRCB) created under Presidential Decree No. 1986.
- (b) MOTION PICTURE – A series of pictures projected on a screen in rapid succession so as to produce the optical effect of a continuous picture in which the objects move whether the picture is in black and white or in color, silent or with accompanying sound, on whatever medium, with whatever mechanism or equipment they are projected for instant showing.
- (c) TELEVISION BROADCAST – A public showing of images (video) and sounds (audio) via free television whether on Very High Frequency (VHF), or Ultra High Frequency (UHF), to include cable television and other limited audience distribution.
- (d) THEATRICAL DISTRIBUTION – A public exhibition of motion pictures in theaters, movie houses, or other places imposing admission fees.
- (e) PUBLICITY MATERIALS and/or Promotional Materials – Any material used to generate public interest in a motion picture or television program such as television commercials, movie and television trailers, print advertisements, still photos, photo frames, leaflets, posters and billboards and other related media.

- (f) LIVE TV SHOW – A television program telecast at the same time that it is being performed.
- (g) TAPED TV SHOW – A television program recorded before it is telecast.
- (h) GENERAL VIEWING – Refers to motion pictures made available to the general public for viewing whether through theaters, film libraries or such similar organizations.
- (i) REVIEW – The process of previewing motion pictures, television programs and related publicity materials to determine whether, based on the standards set by law, these are fit for importation, exportation, production, copying, distribution, sale, lease, and exhibition in theater or non-theatrical distribution networks; and to determine the material’s classification.
- (j) NEWS – Refers to straight and objective news reporting as distinguished from news analyses, commentaries, opinions and editorials.
- (k) NEWS ANALYSES, COMMENTARIES, OPINIONS and EDITORIALS – Refer to views which are SUBJECTIVE in nature, whether these are of the speaker’s and/or the network’s.
- (l) NON-THEATRICAL DISTRIBUTION – A public showing of full-length or short-feature motion pictures through the use of mobile or non-mobile projection equipment for which no admission fee is charged. This includes showing of full-length and short-feature motion pictures exclusively to civic organizations, societies, clubs and other similar groups, including juvenile, educational, documentary, cultural, scientific, journalistic, industrial, sales, public relations and instructional films.

Chapter II GUIDING PRINCIPLES

Section 1. – The BOARD shall review and classify motion pictures, television programs and related promotion materials and commercials for TV and cinema, applying as general standard contemporary Filipino cultural values.

Section 2. – No motion picture, television program, or promotional material intended for such exhibition shall be disapproved by reason of its topic, theme or subject matter, subject to Article 201, “Offenses Against Decency and Good Customs” of the Revised Penal Code.

Section 3. – The classification shall be based on the treatment of theme, violence, language, nudity, sex, horror, illegal drugs and other similar elements. In making the evaluation, the BOARD shall not look at pieces of film, television, and related promotional materials in isolation, but shall consider the submitted material in its entirety.

Section 4. – The BOARD is fully aware of the State’s concern in molding and reinforcing the moral character of the people as well as protecting the artist’s freedom of expression. The BOARD’s obligation therefore as mandated by law is to safeguard these values

without negating the vital roles and services that the motion picture and television industries render to the community as important components in building the national economy.

Section 5. – The review and classification system rests on the doctrine of PARENS PATRIAE as well as the natural right of parents in rearing their children under the Constitution. The BOARD recognizes the fundamental role of parents in their children’s choice of motion picture or television program, and thereby helps them decide what they will allow their children to watch.

Section 6. – The BOARD is a regulatory body which must not only function in terms of reviewing and classifying films or television programs brought before it but must also initiate plans and cooperate with the industry to improve, upgrade and make it viable as an important component of the national economy.

Chapter III SCOPE OF AUTHORITY

All motion pictures, television programs and commercials intended for public exhibition in theaters and television, and related publicity materials and/or promotional materials, whether imported or produced in the Philippines, for the purpose of local viewing or for export, shall be subject to review and classification by the BOARD before they are exported, copied, distributed, sold, leased and exhibited.

Chapter IV MOVIE, TELEVISION, and TRAILER CLASSIFICATION

Section 1. *Movie Classification*¹ – Motion pictures shall be classified as GENERAL AUDIENCE (“G”); PARENTAL GUIDANCE - 13 (“PG”); RESTRICTED – 13 (“R-13”); RESTRICTED – 16 (“R-16”); RESTRICTED – 18 (“R-18”); and NOT FOR PUBLIC EXHIBITION (“X”). In classifying motion pictures, the BOARD shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, drugs, without prejudice to such other factors or elements that it may deem appropriate to consider.

These Rules shall cover all motion pictures, and publicity materials for, or pertaining to, theatrical and/or non-theatrical distribution.

All motion pictures shall strictly comply with the classification rating herein prescribed; otherwise, they shall not be approved for theatrical and non-theatrical distribution.

The classification ratings for motion pictures shall be color coded, as follows:²

Film Rating		Color
GENERAL AUDIENCE (G)	--	GREEN
PARENTAL GUIDANCE (PG)	--	BLUE

¹ As amended by Memorandum Circular No. 08-2012 issued on 19 July 2012. See Annex “A.”

² As amended by Memorandum Circular No. 10-2012 issued on 03 October 2012. See Annex “B.”

RESTRICTED-13 (R-13)	--	YELLOW
RESTRICTED-16 (R-16)	--	ORANGE
RESTRICTED-18 (R-18)	--	RED

Applying contemporary Filipino cultural values as standard, the following are the guidelines for film classification:

A. GENERAL AUDIENCE (“G”) – Viewers of all ages are admitted. A “G” classification advises parents or supervising adults that the film, in the judgment of the BOARD, is suitable for all audiences.

1. **THEME** – The film must contain themes that are appropriate for all audiences. It should not contain violence, threat, abuse, horror, or other themes that may cause fear or disturbance to a young child’s mind. It should promote positive values.
2. **LANGUAGE** – The film may contain dialogue or other word representations beyond polite language, but swear words or gestures shall not be allowed. Profane, offensive, and sexually-suggestive language or gestures shall not be allowed. Language shall include both verbal and non-verbal expressions.
3. **NUDITY** – The film may contain occasional, as well as natural nudity; provided there is no sexual or demeaning context to it.
4. **SEX** – The film cannot contain and depict sexual activity, and such other scenes with a sexual context.
5. **VIOLENCE** – The depiction of any violence must be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
6. **HORROR** – The depiction of horror and frightening scenes should be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
7. **DRUGS** – There shall be no depiction of, or reference to, prohibited drugs or their use.

B. PARENTAL GUIDANCE (“PG”) – Viewers below thirteen (13) years old **must be accompanied by a parent or supervising adult** when admitted into a “PG” film. A “PG” classification advises parents or supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, and horror, whose treatment is suitable for children below thirteen (13) years of age.

A film classified as “PG” shall, in the judgment of the Board, meet the following criteria:

1. **THEME** – The film may contain themes that require parental supervision and guidance, but the treatment shall nonetheless be appropriate for children below thirteen (13) years of age.

The film should not promote any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film should contain redeeming social values.

2. LANGUAGE – The film may contain mild and infrequent swear words and menacing language.

The use of strong swear words or sexually-derived expletives, as well as the successive or frequent use of swear words and expletives shall not be allowed.

Offensive, menacing, threatening language and references to sex shall always be suitable for viewers who are below thirteen (13) years of age.

Sexually-suggestive language may be allowed; provided that it is neither frequent nor prolonged, and always justified by the context of the scene where such is heard.

3. NUDITY – The film may contain occasional, as well as natural nudity; provided that there is no sexual or demeaning context to it.
4. SEX – The depiction of sexual activity may be allowed, but it should be discreet, infrequent, and not prolonged; provided no graphic depiction of sexual activity shall be allowed.
5. VIOLENCE – The depiction of violence and suffering should be minimal, and without graphic detail; provided that gratuitous violence shall not be allowed in any case.
6. HORROR – The depiction of horror and frightening scenes shall be allowed; provided that they are brief and infrequent.
7. DRUGS – There shall be no depiction of, or reference to, prohibited drugs or substances and their use.

C. **RESTRICTED-13 (“R-13”)** – Only viewers who are **thirteen (13) years old and above** can be admitted into an “R-13” film. An “R-13” classification advises parents or supervising adults, as well as the would-be viewers themselves, that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs whose treatment may **not be suitable** for children below thirteen (13) years of age.

A film classified as “R-13” must, in the judgment of the Board, meet the following criteria:

1. THEME – The film may contain mature themes; provided that the treatment of any of these themes is suitable for teenagers above thirteen (13) years of age.

The film shall not gratuitously promote or encourage any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film must contain social redeeming values.

2. LANGUAGE – The film may contain moderate swear words and menacing language consistent with the context of the scene in which they are employed.

The use of strong swear words or sexually-derived or suggestive expletives and expressions as well as the use of swear words and expletives shall be allowed; provided that its use is infrequent and not vulgar.

Offensive, menacing, threatening or other equally negative language, as well as references to sex shall be suitable for viewers who are at least thirteen (13) years of age.

The use of sexually-oriented or suggestive language and other references to sex shall always be suitable for viewers who are at least thirteen (13) years of age.

3. NUDITY – The film may contain occasional, natural and sexually-oriented nudity; provided that this is brief and discreet, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
4. SEX – Sexual activity may be depicted, but it should be discreet, infrequent, brief, and without graphic detail; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
5. VIOLENCE – Violence may be allowed; provided that it is infrequent, not gratuitous, and without graphic detail, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
6. HORROR – The depiction of horror, frightening scenes, and occasional gore are allowed; provided that such depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
7. DRUGS – The depiction of drugs or their use may be allowed; provided that such depiction is brief and infrequent, and the same is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.

The movie shall not in any case promote, condone, justify and/or encourage drug use.

D. **RESTRICTED-16 (“R-16”)** – Only viewers as well as the viewers themselves who are **sixteen (16) years old and above** can be admitted into an “R-16” film. An “R-16” classification advises parents and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may not be suitable for children below sixteen (16) years of age.

A film classified as “R-16” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes; provided that the treatment is appropriate for viewers who are at least sixteen (16) years of age.
2. **LANGUAGE** – The film may use any kind of language; provided that such use is justified by context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
3. **NUDITY** – The film may contain natural and sexually-oriented nudity; provided that it is discreet and its depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
4. **SEX** – Sexual activity may be depicted; provided any depiction does not contain graphic detail, and such depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
5. **VIOLENCE** – Violence and gore may be allowed; provided that their depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
6. **HORROR** – The non-gratuitous depiction of horror, frightening scenes, and gore are allowed; provided that their use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
7. **DRUGS** – The non-gratuitous depiction of drugs or their use may be allowed; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.

The movie shall not in any case promote, condone, and encourage drug use.

E. RESTRICTED-18 (“R-18”) – Only viewers who are **eighteen (18) years old and above** can be admitted into an “R-18” film. An “R-18” classification advises viewers, parents, and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may **not be suitable** for children below eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene”, “offensive”, or “pornographic,” as these terms are defined by law.

A film classified as “R-18” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes and their treatment.

2. LANGUAGE – The film may use any kind of language; provided that such use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
3. NUDITY – The film may contain sexually-oriented nudity; provided that it is non-gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

4. SEX – The realistic depiction of sexual activity may be allowed; provided that such depiction is not gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

5. VIOLENCE – There are no restrictions on the depiction of violence except that it should not be gratuitous and that it is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
6. HORROR – The depiction of horror, frightening scenes, and gore are allowed; provided that such depiction is justified by the context, narrative, or character development, and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
7. DRUGS – The depiction of drugs or their use may be allowed; provided that such depiction is justified by the context, narrative or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age. In no case, however, should the use of drugs be promoted, condoned, justified and/or encouraged.

F. NOT FOR PUBLIC EXHIBITION (“X”) – “X-rated” films are not suitable for public exhibition. A film shall be disapproved for public viewing if, in the judgment of the BOARD:

- a. The average person, applying contemporary community standards and values, would find that the dominant theme of the work, taken as a whole appeals solely to the prurient interest and satisfies only the craving for gratuitous sex and/or violence.
- b. The film depicts in a patently lewd, offensive, or demeaning manner, excretory functions and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
- c. The film clearly constitutes an attack against any race, creed, or religion.

- d. The film condones or encourages the use of illegal drugs and substances.
- e. The film tends to undermine the faith and confidence of the people in their government and/or duly-constituted authorities.
- f. The film glorifies criminals or condones crimes.
- g. The film is libelous or defamatory to the good name and reputation of any person, whether living or dead.
- h. The film may constitute contempt of court or of a quasi-judicial tribunal, or may pertain to matters which are subjudicial in nature.

Any violation of this Memorandum Circular shall be dealt with the following penalties, to wit:

- a. 1st Offense: A warning that any further violation shall be dealt with more severely.
- b. 2nd Offense: A fine of Twenty Thousand Pesos (Php20,000.00) shall be imposed.
- c. 3rd Offense: A fine of Fifty Thousand Pesos (Php50,000.00) shall be imposed.
- d. 4th Offense: A fine of One Hundred Thousand Pesos (Php100,000.00) shall be imposed.
- e. 5th Offense: A fine of Two Hundred Thousand Pesos (Php200,000.00) plus one (1) week closure shall be imposed in case of violation is committed within one (1) year from the date of commission of the first offense.

Section 2. *Television Classification*³ – All television programs are to be classified as “GENERAL PATRONAGE (“G”); PARENTAL GUIDANCE (“PG”); STRONG PARENTAL GUIDANCE (“SPG”) and DISAPPROVED FOR AIRING ON TELEVISION (“X”). In classifying the television program, the Board shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, illegal drugs and other elements.

These Rules shall cover all television programs, motion pictures, and publicity materials for, or pertaining to, television broadcast including cable television service.

All television programs must strictly comply with the classification rating herein prescribed, otherwise, they shall not be approved for television broadcast.

Applying contemporary Filipino cultural values as standard, the following are the guidelines for television classification:

A. **GENERAL PATRONAGE (“G”)** – Suitable for all ages. Material for television, which in the judgment of the BOARD does not contain anything unsuitable for children.

A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “G” shall be broadcast for at least ten (10) seconds

³ As amended by Memorandum Circular No. 05-2011 issued on 25 August 2011. See Annex “C”.

immediately before the opening credits of the particular television material. The text of the full-screen written advisory shall be written in font 10 of arial-narrow, solid white color with black outline. The pictogram advisory showing a capital letter “G” written on a green box with an MTRCB logo at the top and the phrase “*General Patronage For All Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 32.5mm x 19.05mm in size.⁴ The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

*“ANG SUSUNOD NA PROGRAMA AY RATED “G.”
ITO AY PUWEDE SA LAHAT NG MANONOOD.”*



B. PARENTAL GUIDANCE (“PG”) – Parental guidance suggested. Material for television, which, in the judgment of the BOARD, may contain some adult material that may be permissible for children to watch but only under the guidance and supervision of a parent or adult.

The “PG” classification advises parents to exercise parental responsibility in their children’s viewing of the program. A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “Parental Guidance” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material classified as such. The text of the full-screen written advisory shall be written in font 10 of arial-narrow, solid white color with black outline. The pictogram advisory showing a capital letter “PG” written on a blue box with an MTRCB logo at the top and the phrase “*Parental Guidance For Young Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 32.5mm x 19.05mm in size.⁵ The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

⁴ As amended by Memorandum Circular No. 11-2011 issued on 02 November 2011.

⁵ As amended by Memorandum Circular No. 11-2011, *ibid*.

ANG SUSUNOD NA PROGRAMA AY RATED “PG.” ITO AY NANGANGAILANGAN NANG PATNUBAY AT GABAY NG MAGULANG PARA SA MGA BATANG MANONOOD.”



The television program classified as “PG” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – More serious issues may be tackled but the treatment must be suitable to children below thirteen (13) years old.
2. **LANGUAGE** – Very mild swear words only shall be allowed. Use of a strong expletive in a sexual context or sexually-based expletives shall not be allowed. Neither shall prolonged and/or successive use of expletives be allowed.
3. **NUDITY** – Occasional natural nudity, with no sexual activity, is permissible.
4. **SEX** – Graphic depiction of sexual activity shall not be permitted. Sexual activity may be implied but with no details shown.
5. **VIOLENCE** – There should be no glamorization of weapons and crimes. No detail of fighting or other dangerous techniques. No detail or prolonged showing of violence or suffering. There should be a redeeming social value at the end.
6. **HORROR** – Scary sequences must be mild and brief.
7. **DRUGS** – There may only be implied depiction of prohibited drugs and/or substances or their use provided it does not condone, encourage or glamorize drug and/or substance use and it should be necessary to the theme and characterization.

C. **STRONG PARENTAL GUIDANCE (“SPG”)**⁶ – Stronger and more vigilant parental guidance is suggested. Programs classified as “SPG” may contain more serious topic and theme, which may not be advisable for children to watch except under the very vigilant guidance and presence of a parent or an adult.

⁶ As amended by Memorandum Circular No. 12-2011 issued on 01 December 2011. See Annex “D”.

The “SPG” classification warns parents to exercise greater parental responsibility in their children’s viewing of the program. The television program classified as “SPG” must still fall within the parameters of existing Parental Guidance classification rating. However, to merit the issuance of an “SPG” rating, the gravity of the material must, in the judgment of the BOARD, be leaning towards the maximum allowable for Parental Guidance rating. In determining the proper classification rating, the Board shall consider the purpose, genre, and time slot of the program as well as the treatment and depiction of attendant factors such as, but not limited to: Theme (*Tema*), Violence (*Karabasan*), Drugs (*Droga*), Language (*Lenggwabe*), Sex (*Seksmaal*) and Horror (*Katatakutan*).

In the exercise of its judgment, the BOARD shall take due consideration of balancing the interest of the State to protect the welfare of the youth with the interest of the broadcast networks to freedom of expression.

A pictogram advisory accompanied by a full-screen written advisory with voice over to the effect that the program is classified as “Strong Parental Guidance” shall be broadcast for at least twenty (20) seconds, immediately before the opening credits and midway in the full airing of the particular television material classified as such. The full-screen advisory shall specifically declare the content descriptors pertinent to the program being shown, such as but not limited to: Theme (*Tema*), Violence (*Karabasan*), Drugs (*Droga*), Language (*Lenggwabe*), Sex (*Seksmaal*) and Horror (*Katatakutan*).

The pictogram advisory showing the capital letters “SPG” written on a red box with the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. As the need may arise, the superimposed pictogram may be placed in other part of the television screen; provided it is not done too often. The text in the pictogram of the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” shall be written in font ten (10) of arial-narrow solid white with black outline. The superimposed pictogram advisory shall be 32.5 mm x 19.05 mm in size.

Until further revised by the BOARD, the suggested pictogram advisory and full-screen written advisory with voice over in Filipino are as follows:

PRESCRIBED PICTOGRAM ADVISORY:



FOR OPENING AND MIDWAY CREDITS:

“ANG PROGRAMANG ITO AY RATED ‘SPG.’

*‘STRIKTONG’ PATNUBAY AT GABAY NG MAGULANG
ANG KAILANGAN. MAY MASESELANG TEMA,
EKSENANG KARAHASAN, DROGA, LENGGAWAHE,
SEKSWAL AT KATATAKUTANG MAAARING HINDI
ANGKOP SA MGA BATANG MANONOOD.”*

D. DISAPPROVED FOR AIRING ON TELEVISION (“X”) – Any television program that does not conform to the “G”, “PG” or “SPG” classification shall be disapproved for television broadcast. The material shall be disapproved for television broadcast if, in the judgment of the Board applying contemporary Filipino cultural values as standard, it is objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence, or of a wrong, or crime, such as but not limited to:

1. The work depicts in a patently lewd, offensive, or demeaning manner, excretory functions, and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
2. The work clearly constitutes an attack against any race, creed or religion.
3. The work condones or encourages the use of illegal drugs and substances.
4. The work tends to undermine the faith and confidence of the people in their government and/or duly constituted authorities.
5. The work glorifies criminals or condones crimes.
6. The work is libelous or defamatory to the good name and reputation of any person, whether living or dead.
7. The work may constitute contempt of court of a quasi-judicial tribunal, or may pertain to matters, which are subjudicial in nature.

Section 3. *Movie and Television Trailers*⁷ – Trailers and publicity/promotional materials for movies and television must strictly be made suitable for a General Audience (“G”) classification. Trailers and publicity/promotional materials that do not fall within the “G” classification shall not be approved for exhibition in a movie house, television broadcast, publication in print media and exposure in other related media.

The BOARD may, from time to time, applying Filipino cultural values, amend this system of classification and the guidelines thereto, and the BOARD may consider the time slot, purpose and venue of the program in determining the proper rating for it.

⁷ See Section 3, Chapter III of Memorandum Circular No. 08-2012.

Chapter V
APPLICATION AND ISSUANCE OF PERMITS

Section 1. *Who May Apply* – Any natural or juridical person authorized by law may apply for a permit to import, export, produce, copy, distribute, sell, lease, publicly exhibit, or broadcast by television, any motion picture, television program, or related publicity materials, with respect to which use or appropriation he has, by law, the corresponding right.

Section 2. *Form and Requirements of Permit Application* – The application shall be in writing and in the form prescribed by the BOARD. It shall state, among others, the kind of permit applied for, the applicant’s name, address, and company position, and the title of the film, television program, or publicity/promotional material being submitted. The application shall be made under oath, to be accompanied by the following documents:

A sworn statement by the producer or, in the case of imported films, by the importer or distributor declaring the exact number of prints of the motion picture or material produced or imported.

- i. In the case of locally produced films, a sworn certification by the film studio or laboratory stating the exact number of film prints and corresponding footage that has been processed, and an undertaking not to process further copies without clearance by the BOARD.
- ii. In the case of imported or exported motion pictures and publicity/promotional materials, the documents mentioned in Chapter IX, “Import and Export of Films.”
- iii. Such other documents as the BOARD may from time to time require.

Section 3. *Application Fee* – No application for a permit shall be acted upon by the BOARD unless the applicant has fully paid the prescribed application fee.

Those with outstanding obligations with the BOARD shall likewise be made to settle said obligations before the BOARD acts upon the latest application.

Section 4. *Period for Review and Classification* – Film prints and tapes of television programs shall be submitted to the BOARD for classification on a “first come, first served” basis.

Fees prescribed by the BOARD for films, and for television programs on a per-episode basis, will be charged.

The BOARD must review and classify the motion picture, television program, or promotional/publicity material within a period of ten (10) days, which shall be counted from the date of receipt by the BOARD of an application for review and classification, together with the complete film prints, the tapes of television programs, or stills and other publicity /promotional materials to be reviewed.

In the case of a Second Review, the BOARD shall render its decision within five (5) days from the date of the receipt of the motion picture, television program, or promotional/publicity material for Reclassification and/or Reconsideration.

However, no special consideration will be made regardless of an applicant's playdate or date of broadcast. It is the applicant's duty to meet his deadlines, without prejudice to those who have submitted their respective applications, film prints, and tapes of television programs before him.

Section 5. *Titles and Publicity and/or Promotional Materials* – Promotional and/or publicity materials such as print advertisements, still photos, photo frames, leaflets, posters, and billboards shall be submitted for review during the run of the movie as long as the first batch of material has been approved.

The following shall not be approved as titles:

- A. Direct representations of, or clear references to, sexual acts, masturbation, excretory functions and the genitalia.
- B. Those which when maliciously mispronounced for promotional purposes become direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia.
- C. Those which no matter how innocent in a particular Philippine dialect or in any other language are, in the Filipino language, direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia.
- D. Those which are contrary to law, public morals, or any legitimate public interest.
- E. Those that contain vulgar language.

All publicity materials of motion pictures and television programs, whether in print or audio/video format, are required to have permit to exhibit. Each publicity material shall be assessed appropriate review fee. In the case of movie trailers imbedded in a particular movie material, the assessment shall be for every movie title of the corresponding imbedded movie trailers.⁸

Only such versions of publicity materials duly approved and passed upon by the BOARD are fit for public exhibition. Film distributors are primarily responsible for the fitness and validity of all materials distributed for public screening. Corollary, theater and television network managers should not accept from any film distributor any publicity material, especially imbedded movie trailers, that has not been duly cleared with the BOARD.⁹

In the event the title or publicity/promotional material does not meet BOARD approval, the applicant shall undertake to shoulder additional expenses for a reshoot of optical titles or reproduction of publicity/promotional materials.

Changing of titles of old or reissued motion pictures shall not be allowed, except when such titles fall under any of the abovementioned subsections. Old films shall carry their original

⁸ See Annex "E," Memorandum Circular No. 05-2012 issued on 12 March 2012.

⁹ See 2nd paragraph, Memorandum Circular No. 05-2012, *ibid*.

title in the feature print and in all promotional/publicity materials, with the word “REISSUE” prominently printed in bold letters under the original title.

All print and sign advertisements related to motion pictures and television programs such as advertising copy, still photos for theater lobby or non-theater lobby display, photo frames, leaflets, posters, and billboards shall fall within the standards of a General Audience (“G”) classification.

All advertising copy, still photos for theater lobby display, photo frames, leaflets, posters and billboards and other promotional materials that do not meet a “G” classification cannot be exhibited in public. Violation of this provision shall be a ground for the withholding or cancellation of the film’s Exhibition Permit and, the imposition of other such penalties as the BOARD may deem appropriate.

Motion pictures on which voluntary deletions have been made shall not be advertised as “UNCUT” in any and all publicity/promotional materials. The BOARD shall not hesitate to impose sanctions on such deceptive advertising.

The BOARD may, from time to time, applying contemporary Filipino cultural values, amend this system of classification and the guidelines hereunder. The BOARD may consider the time slot, purpose and venue of the program in determining the proper rating for it.

Section 6. *Conspicuous Display of Exhibition Permit and Classification*¹⁰ – A copy of the Permit to Exhibit shall be prominently posted or displayed at conspicuous places near the entrances and at the ticket booth of all theaters or cinemas or other venue where the motion picture is exhibited. In addition, the BOARD’s classification of the motion picture shall be prominently displayed on a three (3)-foot high standee in the theater lobby. The classification shall likewise be included in all of the film’s print and TV advertisements as soon as the classification is obtained.

All theater or other venue owners or operators, producers, advertisers, billboard owners or operators, and any such other persons or entities responsible for advertising, making known, or publicizing a film shall always prominently display the Board’s classification of the film in all advertising, publicity, and promotional materials of whatever media, such as but not limited to images, posters, playbills, announcements, messages, standees, billboards, signages, banners, and marquees.¹¹

The Board’s classification of a motion picture shall be prominently displayed on a movable three (3)-foot high standee in the theater lobby. The standee shall display the prescribed color-code and pictogram of the film rating and its corresponding film rating advisory.

Unless otherwise required by the Board, the standee and the color-coded film pictograms shall have the following minimum specifications:

¹⁰ As amended by Memorandum Circular No. 10-2012, *ibid*.

¹¹ See Section 5, Memorandum Circular No. 08-2012, *ibid*.

MINIMUM STANDEE SPECIFICATIONS:

Standee height (ground to top)	Four (4) feet and (5) five inches
Standee printed area	Fourteen (14) inches by twenty two (22) inches (WxH)
Color-coded pictogram	Ten (10) inches by twelve (12) inches (WxH)
Pictogram font size	700 Verdana Bold (for “G”) 500 Verdana Bold (for “PG” to “R-18”) (same specifications as in film pictograms)
Font (full film rating)	40 Verdana Bold (black color)
Font (full film advisory)	40 Helvetica Bold (black color)
Material of printed area	Glossy paper

FILM PICTOGRAMS SPECIFICATIONS:

<p>A. GENERAL AUDIENCE</p> <p>Background Color: Green (#009900); Gradient overlay: 009900; 5af85a; 100% location; Font: Verdana, Bold, 302.04pt/250, Fbdfef, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>B. PARENTAL GUIDANCE</p> <p>Background Color: Blue (#024d82); Gradient overlay; #024d82, #3d46f7; Font: Verdana, Bold, 302.04pt/250, Fbdfef; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>C. RESTRICTED-13</p> <p>Background Color: Yellow (#ffc000), 100% CMYK; Font: Verdana, Bold, 302.04pt/250; Gradient overlay: 27f04/fabf7f/f27f04; Inner Bevel; Depth 368%; Size 73px; Direction – up; Soften – 9px; Angle 153% global light 53°; Shadow Mode: Multiply; Opacity 26%; Gradient overlay #04fa04; Outer Glow.</p>
<p>D. RESTRICTED-16</p> <p>Background Color: Orange (#fb9006); Font: Verdana, Bold, 302.04pt/250, Fbdfef, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>

E. RESTRICTED-18

Background Color: Red (#ff0000); Font: Verdana, Bold, 302.04pt/250, Fbdfde, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss : Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft , Shading 106%.

Consistent with Section 3(k) of Presidential Decree No. 1986, immediately after every intermission, the Board's prescribed audio-video public service announcement on film classifications shall be exhibited on the theater screen. Also, immediately prior to every exhibition of any main film feature, the film's corresponding advisory rating shall be flashed on screen in the prescribed audio-video format.

The prescribed film pictogram and audio-video advisory shall be as follows:

A. GENERAL AUDIENCE ("G")



GENERAL AUDIENCE

ANG PELIKULANG ITO AY RATED "G." ITO AY PUWEDE SA LAHAT NG MANONOOD.

THIS MOVIE IS RATED "G." IT IS SUITABLE FOR ALL AUDIENCES.

B. PARENTAL GUIDANCE (“PG”)



PARENTAL GUIDANCE

ANG PELIKULANG ITO AY RATED “PG.” ITO AY NANGANGAILANGAN NG PATNUBAY AT GABAY NG MAGULANG PARA SA MGA BATANG MANONOOD.

THIS MOVIE IS RATED “PG.” CHILDREN BELOW THIRTEEN (13) YEARS OLD MAY REQUIRE PARENTAL GUIDANCE AND DIRECTION.

C. RESTRICTED -13 (“R-13”)



RESTRICTED - 13

ANG PELIKULANG ITO AY RATED “R-13.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MAY EDAD NA MABABA SA LABINTATLONG (13) TAONG GULANG.

THIS MOVIE IS RATED R-13. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW THIRTEEN (13) YEARS OLD.

D. RESTRICTED-16 (“R-16”)



RESTRICTED-16

ANG PELIKULANG ITO AY RATED “R-16.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MAY EDAD NA MABABA SA LABING-ANIM NA (16) NA TAONG GULANG.

THIS MOVIE IS RATED R-16. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW SIXTEEN (16) YEARS OLD.

E. RESTRICTED-18 (“R-18”)



RESTRICTED-18

ANG PELIKULANG ITO AY RATED “R-18.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA NA HINDI ANGKOP SA MAY GULANG NA MABABA SA EDAD LABING-WALONG (18) TAONG GULANG.

THIS MOVIE IS RATED R-18. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW EIGHTEEN (18) YEARS OLD.

The prescribed MTRCB poster, on the proper understanding of the film classification categories, shall be prominently displayed in a conspicuous place near every cinema ticket booth. Every cinema operator shall make available such adequate number of posters as there are ticket booths. The said poster, printed on glossy paper, and with dimensions of 27 inches by 40 inches (WxH), shall contain the advisories with text, pictograms and images, as prescribed by the Board.

For this purpose, and to ensure uniformity, the Board shall make available to cinema or theater owner or operator, in digital format, the graphic content or material for the poster.

Section 7. *MTRCB Seal of Approval* – All still photos, photo frames and posters approved for display in the theater lobby and other public places must bear the MTRCB seal of approval.

Section 8. *Television Programs*¹² – The BOARD shall not review/classify television programs on a per-episode basis, but on a sample episode submitted from a particular program's output for the season. The BOARD may, if circumstances warrant, require the review of all episodes of certain television programs.

For proper review and classification of serial television programs based on sample episodes, the rules and guidelines are as follows:

- a. Serial television programs shall be reviewed and classified based on their sample episodes for a particular period.
- b. A permit to exhibit issued based on a sample episode shall be limited to the following number of episodes: 1) for daily telecast, shall not exceed twenty (20) episodes; 2) for weekly telecast, shall not exceed ten (10) episodes. The sample episode itself must not be one of the episodes to be shown within the period.
- c. Serial television programs that are given a “PG” or “SPG” rating shall be subjected to an automatic post evaluation review for purposes of determining the propriety of the classification rating in relation to the progression of the program's thematic content.
- d. Unless determined by the BOARD to the contrary, episodes shown on Fridays shall be submitted to the BOARD a day after their airing for purposes of post evaluation review. If the due date falls on a non-working day of the BOARD, the material shall be submitted on the immediately following working day.
- e. To facilitate proper post evaluation review, the program producer shall submit a copy of the material as shown on television together with a synopsis and a copy of its permit to exhibit.
- f. Materials that are originally rated “Parental Guidance” may be *motu proprio* reclassified by the network or program producer to “Strong Parental Guidance”, if they deem fit in the exercise of self-regulation, without the necessity of prior approval from the BOARD.
- g. However, materials that are originally rated “Strong Parental Guidance” cannot be *motu proprio* reclassified by the network or program producer to “Parental Guidance” without prior written approval from the BOARD.
- h. The pay-before-broadcast rule for the airing of each episode shall continue to be observed.

¹² As amended by Memorandum Circular No. 03-2012 issued on 23 February 2012. See Annex “F”.

- i. Sample episodes of serial programs on daily telecast shall be submitted for proper review and classification at least five (5) days prior to airing date, otherwise, a special review fee shall be imposed in addition to the regular review fee. However, television programs not on daily telecast shall continue to be regulated by the ten (10)-day prior-to-airing rule.
- j. The BOARD shall retain all sample episodes for record and monitoring purposes. To facilitate efficient archival of retained sample episodes, the BOARD shall only accept said materials in an optical media format (DVD/VCD).

In the case of taped television programs, after submitting a sample episode of a television program, the program producer shall be required to set aside a tape of each episode broadcast to be made immediately available to the BOARD for spot-checking.

The tape submitted for spot-checking shall be kept by the BOARD for a period of one month from the date of broadcast. Tapes of programs identified by the BOARD to have consistently violated these Rules and Regulations shall be kept for a period of three months from the date of broadcast.

Programs previously classified for “General Audiences (G)” or “Parental Guidance (PG)” shall be continuously monitored on the basis of the same classification. To avoid sanctions as provided for in Section 11 of PD No. 1986, television program producers shall, in case of any doubt regarding a particular program episode’s classification, voluntarily submit said episode to the BOARD for proper review.

In the case of live television programs such as noontime variety shows and talk shows, the phrase “Parental Guidance” shall be superimposed onscreen throughout the airing of the program to continuously remind parents to be on the alert because such programs may contain material that they may deem inappropriate for their children. The program producer shall be required to set aside a tape of each episode broadcast, to be made immediately available to the BOARD for spot-checking.

Officers and/or owners of television networks and production companies shall be held responsible for any violation of pertinent laws arising from or by reason of all their television programs.

The BOARD shall not hesitate to impose penalties and fines, cancel permits and licenses, and cause the prosecution of all those found guilty of violating said pertinent laws.

Section 9. *Exempted Films and Television Programs*¹³ – No films, television program or publicity/promotional material for such films and television programs, unless they are imprinted or exhibited by the Philippine Government and/or its departments and agencies, shall be granted exemption from review and classification for audience suitability.

The following are the rules and guidelines to be observed for the proper implementation of exemption from review and classification of legitimate government materials pursuant to Section 7 of P.D. No. 1986:

¹³ As amended by Memorandum Circular No. 07-2012 issued on 02 May 2012. See Annex “G”.

- a. Only those motion pictures, television programs, and publicity materials that are directly imprinted or exhibited by the Philippine Government and/or its departments and agencies are exempt from review and classification by the BOARD.
- b. At the option of the requesting government agency, the material under consideration maybe submitted to the BOARD for advisory classification to determine the audience suitability. An advisory charge of Two Thousand Pesos (Php2,000.00) shall be made for every full length motion picture submitted to the BOARD for advisory classification.
- c. All requests for exemption from review and classification must be in the prescribed application form made under oath by the head of the agency concerned. In case the request for exemption is made by bureau or office head, or by local government authorities, the application shall be signed under oath by the Secretary of the department concerned. Any representative signing on behalf of the Secretary or Head of Agency must be armed with a notarized special power of attorney for the specific purpose of applying for exemption from review and classification.
- d. The prescribed application for exemption from review and classification shall contain the name and address of the requesting government agency, the specific government activity relied as basis for exemption, the details of the material sought for exemption, the intended date and place of exhibition, and the sworn undertaking of the Secretary or Head of Agency, as follows:
 - i. That the public exhibition of the above-described material is a government activity of our agency pursuant to its direct governmental mandate.
 - ii. That we take direct and primary responsibility for its public exhibition.
 - iii. That we have mechanism in place to make sure that only such age of person suited for the material be admitted to its public exhibition.
 - iv. That the material does not contain scenes which, applying contemporary Filipino cultural values as standard, are objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, with a dangerous tendency to encourage the commission of violence, or of wrong or crime, tend to glorify criminals or condone crimes, or libelous or defamatory to the good name and reputation of any person.
- e. The duly filled-up and notarized application shall be accompanied by a synopsis of the material sought for exemption, and the same shall be submitted to the Registration Division of the BOARD or appropriate issuance of exemption permit. One application form shall be required for every material sought for exemption.
- f. An amount of Five Hundred Pesos (Php500.00) shall be assessed for every issuance of exemption permit. The exemption permit may contain an advisory rating if the material under consideration was submitted for advisory classification.
- g. The material covered by an exemption permit can be publicly exhibited anywhere in the Philippines. However, such public exhibition can only be done by the government

agency that was granted an exemption permit. The exemption permit is not assignable or transferable to any private entity or other agency of the government.

- h. No motion picture theater or television station shall cause the public exhibition of any motion picture, television program or publicity material not duly passed upon by the BOARD or duly issued an exemption permit.
- i. An application for exemption shall be denied if the requesting government agency fails to substantiate that the public exhibition of the government material under consideration is pursuant to its direct governmental update.

Section 10. *Deletions and/or Cuts* – It shall be the responsibility of the applicant to delete scenes, shots or dialogue on his own to arrive at the classification he desires for his material, with such voluntary deletions to be noted down in the Exhibition Permit as a safeguard against illegal insertions. However, if the applicant so desires, the BOARD may suggest deletions in order that the applicant may obtain the classification he desires.

All copies of the voluntary deletions shall be submitted to the BOARD for monitoring purposes.

This provision shall be made to apply not only to films or television programs/shows but also to the film's /or TV program's publicity/promotional materials.

Section 11. The Board may require the applicant to submit a copy of the materials reviewed for record purposes.

Chapter VI

PROCEDURE FOR REVIEW AND CLASSIFICATION OF FILM AND TELEVISION

Section 1. *Designation of Reviewers* – The Chairman of the BOARD shall designate the members of the review committees.

It shall be the duty of the Board Members to disclose any potential conflict of interest regarding a material assigned to him for review. No Board Member shall be assigned to sit on a committee to review and classify when said Board Member has a conflict of interest regarding the said movie, television program or publicity/promotional material.

Section 2. *Committee on First Review*

- A. The Committee on First Review shall be composed of at least three (3) BOARD MEMBERS, one of whom shall be designated as Chair by the Chairman of the BOARD.
- B. The Committee on First Review does not give special consideration for an applicant on the basis of an impending film playdate/television broadcast, said film playdate/television broadcast being the applicant's responsibility.

- C. The decision of the Committee shall be rendered by a majority vote. In case a majority vote is not immediately reached, the Committee shall continue to deliberate until the members arrive at a majority decision. No member shall be allowed to abstain. Such a decision shall be rendered on the day the material is reviewed by the Committee. Unless otherwise determined by the Committee, the decision shall be written by the Chair of the Committee.
- D. In case the Committee is unable to arrive at a majority decision on the day of the review, the Chairman of the BOARD shall designate another committee to review the film as soon as possible.
- E. After the movie is previewed and before the Committee renders its decision, the representatives of the producer and/or the distributor allowed by PD 1986 to join the screening will be given a chance to defend the material.

The Committee shall confer with the applicant or his duly authorized representative before writing the committee report or decision. With leave of the Committee, the applicant may re-edit his material to suit the rating he is seeking. The committee report or the decision shall then be rendered upon submission of the edited material and the deleted portions to the same committee for checking. The decision shall clearly state the result of the voting of the members and the particular reasons for the majority opinion.

Section 3. *Committee on Second Review*

- A. The applicant may file a Motion for Reclassification and/or Reconsideration within five (5) calendar days from notice of the decision.
- B. Upon receipt of the Motion for Reclassification and/or Reconsideration, the Chairman or the BOARD shall designate a Committee on Second Review composed of five (5) Board Members to conduct a second review of the subject film or TV show. One (1) member from the Committee on First Review may be required to sit with the Committee on Second Review as an observer and/or consultant. No member from the First Review Committee may sit in the Committee on Second Review.
- C. The Committee on Second Review shall be presided over by the Chairman or the Vice-Chairman of the BOARD or by a Board Member designated by the Chairman.
- D. The decision of the Committee on Second Review shall be rendered by a majority vote (3 out of 5) of the members. In case no majority decision is arrived at, the Committee shall continue to deliberate until a majority vote is obtained. Such a decision shall be rendered on the day the material is reviewed. No member shall be allowed to abstain.
- E. After the movie is previewed and before the Committee renders its decision, a representative of the producer and/or the distributor allowed by PD 1986 to join the screening will be given a chance to present his case and/or defend his material.
- F. The decision of the Committee on Second Review shall prevail over that of the Committee on First Review.

The decision of the Committee on Second Review shall be final, with the exception of a decision disapproving or prohibiting the screening of a motion picture or a television program in its entirety, which decision shall be appealable to the President of the Philippines. The President may himself/herself decide the appeal or be assisted by an *ad hoc* committee he/she may create or by the Appeals Committee as mandated by PD 1986.

Except for members of the BOARD, persons specifically authorized by the BOARD, and two representatives of the distributor and/or producer and exhibitor of the motion picture, television program or promotional materials under examination and review, no persons shall be allowed in the screening room and the projectionist's room during the examination and review of said motion picture, television program or promotional/publicity material.

Section 4. *Termination of Committee Review* – A committee review shall be deemed terminated only after the committee has rendered its decision and transmitted its decision to the applicant.

Section 5. *Decisions* – Decisions of the BOARD's First and Second Review Committees shall all be in writing, copies of which shall be made available to the applicant upon his request, and in no case shall be denied him. The decisions must contain a written explanation of the committee's classification. The decision shall be written in the Committee Report which shall be countersigned by the applicant or his authorized representative.

Chapter VII APPEAL

Section 1. *Decisions Up for Appeal* – The applicant may appeal decisions of the Committee on Second Review disapproving a motion picture or television program from exhibition in its entirety under Chapter III, Sections 1 and 2, Subsections (c) and (d) respectively hereof, to the President of the Philippines, who may himself/herself decide the appeal, or be assisted either by an *ad hoc* committee he/she may create, or by the Appeals Committee as specified in Section 4, Paragraph 5, of PD 1986.

Section 2. *Making the Appeal* – An appeal shall be made within fifteen (15) days from notice of the decision by the Committee on Second Review by filing a notice of appeal with the BOARD and by paying the appeal docket fee.

Section 3. *Transmittal of Film Prints and/or Records* – Upon perfection of the appeal, the BOARD shall send notice to the Office of the President regarding said appeal and shall facilitate the transmission of the film print, television program, and/or records pertinent to the appeal.

Section 4. *Appeals Committee* – The decision of the President of the Philippines through the Appeals Committee on the appealed matter shall be final.¹⁴

¹⁴ See Rules of Procedure for the Conduct of Review of the MTRCB Appeals Committee promulgated on 19 July 2012.

Chapter VIII PERMITS

Section 1. *Restriction in the Use of the Permit to Exhibit* – Permit holders shall use such permits only for the purpose or purposes therein stated. Permit holders shall preserve the integrity of the motion picture, television program, or related publicity/promotional material in the same condition it was approved, guarding against illegal insertions of material either previously disapproved or not submitted for review.

The BOARD shall not hesitate to impose penalties and fines, cancel permits and licenses, and cause the prosecution of all those found guilty of exhibiting materials and film prints without an Exhibition Permit. Tampering with the Exhibition Permit shall likewise be subject to penalties and fines.

Section 2. *Duties of Holders of Permit to Exhibit* – Movie houses, theaters, and television networks benefit financially from permits to exhibit and/or airing their respective material. Owners of such movie houses, theaters, television networks, and their respective managers are therefore enjoined to take on the following duties and responsibilities:

- A. To ensure that the rules and regulations herein enumerated are followed and observed by their employees under risk of sanctions against the entire company;
- B. In the case of television, to create in-house network regulatory bodies to strictly ensure that programs fall into either a “G” or a “PG” classification;
- C. In the case of movie houses, to come up with similar company-instituted safeguards against flagrant violations of the law, such as the immediate reporting to the BOARD of any noticeable insertions or additions that are patently objectionable on the basis of the existing guidelines for classifications;
- D. To terminate, after due process, and to criminally prosecute employees involved in illegal insertions in a material up for screening/exhibition;
- E. In cases where motion pictures are presented as double features, to apply the more restrictive classification governing admission; and
- F. To comply strictly, at the risk of criminal prosecution and administrative penalty, with classification for audience suitability, by which absolutely no unaccompanied children below thirteen (13) are allowed into movie houses and theaters showing films classified as “PG”, not to admit viewers below thirteen (13) when the movies are classified as “R-13”, and absolutely no minors are allowed into movie houses and theaters showing films classified as “R-18”.¹⁵

Section 3. *Length of Validity of Permit to Exhibit*

A. FOR MOTION PICTURES – The validity of an Exhibition Permit given to motion pictures intended for theatrical release covers a period of five (5) years, without further need for the applicant to pay application fees on a yearly basis. The said Exhibition Permit does

¹⁵ As amended by Memorandum Circular No. 08-2012, *ibid*.

not extend to television, which constantly requires that all materials for airing fit into only the “G” or the “PG” classification.

B. FOR TELEVISION PROGRAMS – A television program reviewed on the basis of a sample of its output for the season is given a broadcast permit for three (3) months. The permit may be revoked at any time upon documented proof of violations of the “G”, “PG”, and “SPG” classifications.¹⁶ Because these television programs shall be regularly monitored for spot-checking, fees for each airing will remain in place, on a Pay-Before-Broadcast (PBB) basis.

Chapter IX IMPORT AND EXPORT OF FILMS

Section 1. *Import of Films* – Upon advice of an applicant, the BOARD shall issue the permit required to release imported motion pictures, television programs, or related publicity materials from the Bureau of Customs. Such permit shall be issued upon proper application, payment of fees, and submission of documents prescribed by the BOARD.

The permit to release imported motion pictures, television programs, television commercials, or related publicity materials from the Bureau of Customs is not to be confused with the Exhibition Permit which comes only after said motion pictures, television programs, or related publicity materials have been reviewed and classified.

Applicants with previous account with the BOARD must first settle such accounts in order for them to get their respective permits.

Section 2. *Disposition of Imported Films Determined to be Not Suitable for Public Exhibition* – Motion pictures, television programs, and promotional/publicity materials declared not suitable for public in the Philippines shall be ordered returned to the country of origin within thirty (30) days from the Importer/Distributor’s receipt of the BOARD’s final decision. A true copy of the decision shall be forwarded to the Commissioner of Internal Revenue and the Collector of Customs. The Importer/Distributor shall submit to the BOARD proof of compliance within ten (10) days from the expiration of the thirty (30)-day period.

Section 3. *Export of Films* – No motion picture, television program, or related publicity material may be exported outside the Philippines without a permit to export issued by the BOARD. Such permit shall be issued upon proper application, payment of fees, and the submission of documents prescribed by the BOARD. Whenever a version different from that previously approved by the BOARD for local exhibition is to be exported, a separate review may be undertaken but without prejudice to the issuance of the necessary export permit. Motion pictures, television programs, and/or publicity materials exhibited abroad fall under the inviting country’s own rules and regulations governing the exhibition and/or airing of such.

Chapter X REGISTRATION OF PERSONS UNDER THE BOARD’S JURISDICTION

Section 1. *Registration*¹⁷ – All persons and entities authorized by law to engage in the movie and television industry such as but not limited to importers or exporters of films and

¹⁶ As amended by Memorandum Circular No. 05-2011, *ibid*.

¹⁷ As amended by Memorandum Circular No.06-2012 issued on 26 April 2012. See Annex “H”.

television programs, film studios or laboratories, television networks, cable television operators, movie producers, television program producers, film distributors and booking agents, shall register with the BOARD pursuant to Section 3 (d) of P.D. No. 1986.

For entities required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA) from the National Telecommunications Commission, the registration fee shall be assessed, as follows:

Date of Issuance of CA/PA	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	Registration will commence on the following year.

For entities NOT required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA), the registration fee shall be assessed based on the date of actual operation, as follows:

Date of Issuance of CA/PA	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	25% of the prescribed registration fee

Entities found unlawfully engaging in the movie and television industry shall be assessed one hundred percent (100%) of the prescribed registration fee plus a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee reckoned from the date of actual operation or date of issuance of Congressional Franchise, P.A. or C.A., whichever is earlier. No surcharge shall be imposed on the year of issuance of the original Congressional Franchise, P.A. or C.A.

Registration of all entities required by law to register with the BOARD shall be renewed annually, which shall be made not later than January 30 of every year. To encourage timely and prompt renewal of registration, a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee shall be assessed on late registrants.

Section 2. Application for Registration – Persons required to register with the BOARD shall accomplish the prescribed forms, submit true copies of documents attesting to the authority to do business in the Philippines, and pay the registration fee fixed by the BOARD, after which a Certificate of Registration is accordingly issued by the BOARD.

Certificates of Registration may not be issued to those who still have unsettled obligations with the BOARD.

Section 3. Effectivity of Registration – The Certificate of Registration issued by the BOARD shall be effective for one (1) year, renewable every year, unless earlier cancelled by the BOARD for cause.

Chapter XI
BOARD REPRESENTATIVES

Section 1. *Appointment* – Any Filipino citizen of legal age and of good community standing may, upon recommendation of a member of the Board, be appointed as Board Deputy to assist in overseeing the implementation of laws and rules relating to the public exhibition of motion pictures, television programs, and publicity materials falling within the jurisdiction of the BOARD. The person so appointed shall not be entitled to compensation, and his appointment is revocable.

Section 2. *Scope of Duties and Authority* – A Board Deputy, when issued a valid appointment and identification card, shall have the authority to inspect all public exhibition of any motion picture or publicity material in movie houses, theaters, and other public establishments and may demand to see the actual appropriate permits for such exhibition. Upon discovery of any violation, he/she shall immediately report such violation to the BOARD. The Board representative may be accompanied by another person who shall act as witness. The Board Deputy shall be accountable to the BOARD and shall be obliged to give a report of his/her activities to the Chairman.

Chapter XII
NATIONAL AND LOCAL REGULATORY COUNCILS

Section 1. *National Regulatory Council* – The BOARD may constitute and organize a National Regulatory Council for Motion Picture and Television, to be headed by the Chairman, the composition of which shall be drawn and designated from appropriate government agencies, from associations belonging to the movie and television industry, and from civic or religious organizations. The Council shall advise the BOARD on problems relevant to the implementation of the objectives of PD 1986 and its Implementing Rules and Regulations. They shall serve without compensation and for such period of time as the Chairman of the BOARD shall determine.

Section 2. *Local Regulatory Council*¹⁸ – To assist in the implementation of policies enunciated in P.D. No. 1986, the Local Regulatory Councils are hereby created. As the exigency of the service may require, a Local Regulatory Council shall be created, whenever practicable, in every region, province, city, or municipality in the Philippines.

A Local Regulatory Council shall be composed of at least ten (10) members chosen from a particular geographical unit as would produce a multi-sectoral combination of expertise from local government agencies, non-governmental organizations, people's organizations, civic or religious organizations. The Local Regulatory Councils shall be placed under the Office of the Chairperson of the BOARD.

The members of the Local Regulatory Councils shall be appointed by the Chairperson of the BOARD and shall hold office for a term of one (1) year, unless sooner removed for any cause. A member may be eligible for reappointment after the lapse of his/her term.

¹⁸ Amended by Memorandum Circular No. 10-2011 issued on 05 October 2011. See Annex "F".

Every member of the Local Regulatory Council shall be issued Identification Card by the BOARD. The LRC ID is purple in color and clearly indicates the name of the LRC member and the place of his/her LRC locality. Every LRC identification card is valid for one (1) year only.

The members of Local Regulatory Council shall be Filipino citizens, at least eighteen years of age, and of known good moral character and probity, especially in the locality where he/she sought appointment.

Appointment to a Local Regulatory Council is public service and privilege, as such, no member thereof shall be entitled to salaries, honoraria or allowances except reimbursement of expenses for activities duly approved by the BOARD.

A Local Regulatory Council shall have the following powers, duties, and functions:

1. To conduct monitoring activities, by itself or in coordination with other competent agencies of the government, at any time, of establishments or entities within the jurisdiction of the BOARD to determine compliance with the provisions of P.D. No. 1986 and its implementing rules and regulations. Specifically, the Local Regulatory Council is tasked to monitor all television broadcast in free TV and Cable TV.
2. To immediately report to the BOARD any violation of the provisions of P.D. no. 1986 and its implementing rules and regulations.
3. To assist the BOARD in the public dissemination of policies, rules, and regulations promulgated pursuant to the provisions of P.D. No.1986 implementing rules and regulations.
4. To recommend to the BOARD of reasonable regulations appropriate to a particular locality.
5. To perform such other duties, powers and functions as may be authorized in writing by the BOARD.

A member of the Local Regulatory Council shall be subject to the same rights, privileges, and restrictions as that of a regular MTRCB Deputy Cardholder. Any abuses committed by member of the Local Regulatory Council shall mean immediate termination of all his/her privileges as an MTRCB Deputy.

Chapter XIII

VIOLATIONS AND ADMINISTRATIVE SANCTIONS

Section 1. *Violations and Administrative Sanctions* – Without prejudice to the immediate filing of the appropriate criminal action and the immediate seizure of the pertinent articles pursuant to Section 13, any violation of PD 1986 and its Implementing Rules and Regulations governing motion pictures, television programs, and related promotional materials shall be penalized with suspension or cancellation of permits and/or licenses issued by the BOARD and/or with the imposition of fines and other administrative penalty/penalties. The BOARD recognizes the existing Table of Administrative Penalties attached without prejudice to the power of the BOARD to amend it when the need arises. In the meantime, the existing revised Table of Administrative Penalties shall be enforced.

Section 2. *Hearing and Adjudication* – Any administrative complaint for violation of PD 1986 and its Implementing Rules and Regulations shall initially be heard by the Chairman. If the alleged violator admits the violation, the Chairman shall impose the appropriate penalty. If the violator does not admit the alleged violation, then the Chairman shall refer the case to the Hearing and Adjudication Committee composed of at least three (3) Board Members designated by the Chairman at least one (1) of whom shall be a member of the Philippine Bar.

Section 3. *Preventive Suspension Order* – Any time during the pendency of the case, and in order to prevent or stop further violations or for the interest and welfare of the public, the Chairman of the BOARD may issue a Preventive Suspension Order mandating the preventive seizure of offending motion pictures and related publicity materials and/or suspension of the permit/permits involved, and/or closure of the erring movie house, television network, cable TV station and other related establishments or the temporary/preventive dismantling or tearing down of public signs and billboards provided that the temporary/preventive order thus issued shall have a life of not more than twenty (20) days from the date of issuance.

Section 4. *Hearing Rules before the Board* - In hearings before the BOARD, appropriate flexibility and liberality shall be observed while strict technical rules of procedure shall be shunned although the Rules of Court and/or the Administrative Code may have suppletory application.

Section 5. *Decisions of the Board* – The BOARD shall decide the case within thirty (30) days following the last submission that it may require or the expiration of the period given and such decision shall be in writing and shall present its basis clearly and distinctly.

Section 6. *Finality of Decision of the Board* – Decisions of the BOARD (including that of the Chairman and the Hearing and Adjudication Committee) shall become final and executory after the lapse of the period for appeal without any appeal having been perfected.

Chapter XIV **OTHER PROVISIONS**

Section 1. *Sinking Fund* – To effectively discharge its duties, the BOARD shall administer at all times the Sinking Fund established under Section 20 of PD No. 1986, which fund consists of the fees and charges it levies, assesses and collects and which the BOARD shall exclusively use for the BOARD's operations/administration and acquisition of facilities, supplies and equipment it needs.

Section 2. *Repeal* – Any prior rule, regulation, circular, or order that is inconsistent with the above provisions shall be deemed amended, modified, or repealed.

Section 3. *Effectivity* – These Rules and Regulations of the BOARD shall become effective FIFTEEN (15) DAYS after publication in two (2) newspapers of general circulation in the Philippines.

APPROVED, by the Movie and Television Review and Classification Board on 24 February 2004.

ANNEXES

Annex "A"

MEMORANDUM CIRCULAR NO. 08-2012

TO : ALL THEATER OWNERS, OPERATORS AND MANAGERS
ALL MOTION PICTURE PRODUCERS AND SITRIBUTORS

FROM: THE CHAIRPERSON

SUBJECT: REVISED CLASSIFICATION RATING FOR FILMS

DATE : 19 JULY 2012

.....

Pursuant to Section 3 (a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board hereby amends Section 1, Chapter IV of the 2004 Implementing Rules and Regulations of P.D. No. 1986 regarding classification ratings for films.

Upon the effectivity of this Circular, all films are to be classified as GENERAL AUDIENCE ("G"); PARENTAL GUIDANCE ("PG"); RESTRICTED-13 ("R-13"); RESTRICTED-16 ("R-16"); RESRICTED-18 ("R-18"); and NOT FOR PUBLIC EXHIBITION ("X"). The guidelines for the revised classification ratings are attached thereto.

For your proper information and guidance.

BY AUTHORITY OF THE BOARD:

(SGD.) MARY GRACE POE LLAMANZARES
Chairperson

Implementing Guidelines
of
MEMORANDUM CIRCULAR NO. 08-2012
amending Section 1, Chapter IV of the 2004 Implementing
Rules and Regulations of P.D. 1986

Pursuant to Section 3(a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board ("Board") hereby enacts and promulgates the following rules as guidelines for the proper implementation of Memorandum Circular No. 08-2012:

Chapter I SCOPE OF APPLICATION

Section 1. Coverage -- These Rules shall cover all motion pictures, and publicity materials for, or pertaining to, theatrical and/or non-theatrical distribution.

Section 2. All motion pictures shall strictly comply with the classification rating herein prescribed; otherwise, they shall not be approved for theatrical and non-theatrical distribution.

Chapter II DEFINITION OF TERMS

Section 1. Definition of Terms -- As used in these implementing guidelines, the following terms shall mean:

- a) *Adult* -- any person who is at least eighteen (18) years of age at the time of admission into the exhibition of a motion picture.
- b) *Board* -- the Movie and Television Review and Classification Board, or any of its Committees acting for, and on behalf of the Board.
- c) *Classification* -- the rating imposed by the Board on any motion picture, television or cable television programs, publicity materials and advertisements to determine audience suitability.
- d) *Child* -- any person less than eighteen (18) years of age at the time of admission into the exhibition of a motion picture.
- e) *Motion Picture* -- a series of pictures projected on screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move, whether the picture be black and white or colored or any other color scheme, silent or with accompanying sound, on whatever medium and with whatever mechanisms or equipment they are projected, and in whatever material they are preserved or recorded for instant projection.
- f) *Publicity Material* -- any audio, video, printed material, or any combination thereof, of short duration (usually from five [5] seconds to thirty [30] seconds, more or less) designed to generate public interest for the motion picture.
- g) *Theatrical Distribution* -- the public showing and/or exhibition in any cinema or theater or in any other venue for the exhibition of motion pictures, imposing admission fees on persons for entertainment, education, information and advertising.
- h) *Non-Theatrical Distribution* -- the public showing and/or exhibition of long and short motion pictures, through the use of mobile projection equipment, and not imposing an admission fee. It shall also refer to the showing or exhibition of long or short motion pictures by organizations, societies, clubs, groups, etc., such as but not limited to, films for children, educational, documentary, cultural, scientific, industrial, sales, public relations, and instructional films.

Chapter III MOVIE AND TRAILER CLASSIFICATION

Section 1. Movie Classification -- Motion pictures shall be classified as GENERAL AUDIENCE (“G”); PARENTAL GUIDANCE - 13 (“PG”); RESTRICTED – 13 (“R-13”); RESTRICTED – 16 (“R-16”); RESTRICTED – 18 (“R-18”); and NOT FOR PUBLIC EXHIBITION (“X”). In classifying motion pictures, the BOARD shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, drugs, without prejudice to such other factors or elements that it may deem appropriate to consider.

Section 2. Guidelines for Movies -- Applying contemporary Filipino cultural values as standard, the following are the guidelines for film classification:

A. GENERAL AUDIENCE (“G”) – Viewers of all ages are admitted. A “G” classification advises parents or supervising adults that the film, in the judgment of the BOARD, is suitable for all audiences.

A film classified as “G” shall, in the judgment of the Board, meet the following criteria:

1. **THEME** – The film must contain themes that are appropriate for all audiences. It should not contain violence, threat, abuse, horror, or other themes that may cause fear or disturbance to a young child’s mind. It should promote positive values.
2. **LANGUAGE** – The film may contain dialogue or other word representations beyond polite language, but swear words or gestures shall not be allowed. Profane, offensive, and sexually-suggestive language or gestures shall not be allowed. Language shall include both verbal and non-verbal expressions.
3. **NUDITY** – The film may contain occasional, as well as natural nudity; provided there is no sexual or demeaning context to it.
4. **SEX** – The film cannot contain and depict sexual activity, and such other scenes with a sexual context.
5. **VIOLENCE** – The depiction of any violence must be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
6. **HORROR** – The depiction of horror and frightening scenes should be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
7. **DRUGS** – There shall be no depiction of, or reference to, prohibited drugs or their use.

B. PARENTAL GUIDANCE (“PG”) – Viewers below thirteen (13) years old **must be accompanied by a parent or supervising adult** when admitted into a “PG” film. A “PG” classification advises parents or supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, and horror, whose treatment is suitable for children below thirteen (13) years of age.

A film classified as “PG” shall, in the judgment of the Board, meet the following criteria:

1. **THEME** – The film may contain themes that require parental supervision and guidance, but the treatment shall nonetheless be appropriate for children below thirteen (13) years of age.

The film should not promote any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film should contain redeeming social values.

2. **LANGUAGE** – The film may contain mild and infrequent swear words and menacing language.

The use of strong swear words or sexually-derived expletives, as well as the successive or frequent use of swear words and expletives shall not be allowed.

Offensive, menacing, threatening language and references to sex shall always be suitable for viewers who are below thirteen (13) years of age.

Sexually-suggestive language may be allowed; provided that it is neither frequent nor prolonged, and always justified by the context of the scene where such is heard.

3. **NUDITY** – The film may contain occasional, as well as natural nudity; provided that there is no sexual or demeaning context to it.
4. **SEX** – The depiction of sexual activity may be allowed, but it should be discreet, infrequent, and not prolonged; provided no graphic depiction of sexual activity shall be allowed.
5. **VIOLENCE** – The depiction of violence and suffering should be minimal, and without graphic detail; provided that gratuitous violence shall not be allowed in any case.
6. **HORROR** – The depiction of horror and frightening scenes shall be allowed; provided that they are brief and infrequent.
7. **DRUGS** – There shall be no depiction of, or reference to, prohibited drugs or substances and their use.

- C. RESTRICTED-13 (“R-13”)** – Only viewers who are **thirteen (13) years old and above** can be admitted into an “R-13” film. An “**R-13**” classification advises parents or supervising adults, as well as the would-be viewers themselves, that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs whose treatment may **not** be suitable for children below thirteen (13) years of age.

A film classified as “R-13” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – The film may contain mature themes; provided that the treatment of any of these themes is suitable for teenagers above thirteen (13) years of age.

The film shall not gratuitously promote or encourage any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film must contain social redeeming values.

2. LANGUAGE – The film may contain moderate swear words and menacing language consistent with the context of the scene in which they are employed.

The use of strong swear words or sexually-derived or suggestive expletives and expressions as well as the use of swear words and expletives shall be allowed; provided that its use is infrequent and not vulgar.

Offensive, menacing, threatening or other equally negative language, as well as references to sex shall be suitable for viewers who are at least thirteen (13) years of age.

The use of sexually-oriented or suggestive language and other references to sex shall always be suitable for viewers who are at least thirteen (13) years of age.

3. NUDITY – The film may contain occasional, natural and sexually-oriented nudity; provided that this is brief and discreet, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
4. SEX – Sexual activity may be depicted, but it should be discreet, infrequent, brief, and without graphic detail; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
5. VIOLENCE – Violence may be allowed; provided that it is infrequent, not gratuitous, and without graphic detail, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
6. HORROR – The depiction of horror, frightening scenes, and occasional gore are allowed; provided that such depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
7. DRUGS – The depiction of drugs or their use may be allowed; provided that such depiction is brief and infrequent, and the same is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.

The movie shall not in any case promote, condone, justify and/or encourage drug use.

D. **RESTRICTED-16** (“R-16”) – Only viewers as well as the viewers themselves who are **sixteen (16) years old and above** can be admitted into an “R-16” film. An “**R-16**” classification advises parents and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may **not** be suitable for children below sixteen (16) years of age.

A film classified as “R-16” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes; provided that the treatment is appropriate for viewers who are at least sixteen (16) years of age.
2. **LANGUAGE** – The film may use any kind of language; provided that such use is justified by context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
3. **NUDITY** – The film may contain natural and sexually-oriented nudity; provided that it is discreet and its depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
4. **SEX** – Sexual activity may be depicted; provided any depiction does not contain graphic detail, and such depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
5. **VIOLENCE** – Violence and gore may be allowed; provided that their depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
6. **HORROR** – The non-gratuitous depiction of horror, frightening scenes, and gore are allowed; provided that their use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
7. **DRUGS** – The non-gratuitous depiction of drugs or their use may be allowed; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.

The movie shall not in any case promote, condone, and encourage drug use.

E. **RESTRICTED-18** (“R-18”) – Only viewers who are **eighteen (18) years old and above** can be admitted into an “R-18” film. An “**R-18**” classification advises viewers, parents, and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may **not** be suitable for children below eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene”, “offensive”, or “pornographic,” as these terms are defined by law.

A film classified as “R-18” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes and their treatment.
2. **LANGUAGE** – The film may use any kind of language; provided that such use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
3. **NUDITY** – The film may contain sexually-oriented nudity; provided that it is non-gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

4. **SEX** – The realistic depiction of sexual activity may be allowed; provided that such depiction is not gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

5. **VIOLENCE** – There are no restrictions on the depiction of violence except that it should not be gratuitous and that it is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
6. **HORROR** – The depiction of horror, frightening scenes, and gore are allowed; provided that such depiction is justified by the context, narrative, or character development, and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
7. **DRUGS** – The depiction of drugs or their use may be allowed; provided that such depiction is justified by the context, narrative or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age. In no case, however, should the use of drugs be promoted, condoned, justified and/or encouraged.

F. NOT FOR PUBLIC EXHIBITION (“X”) – “X-rated” films are not suitable for public exhibition. A film shall be disapproved for public viewing if, in the judgment of the BOARD:

- a. The average person, applying contemporary community standards and values, would find that the dominant theme of the work, taken as a whole appeals solely to the prurient interest and satisfies only the craving for gratuitous sex and/or violence.
- b. The film depicts in a patently lewd, offensive, or demeaning manner, excretory functions and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
- c. The film clearly constitutes an attack against any race, creed, or religion.
- d. The film condones or encourages the use of illegal drugs and substances.
- e. The film tends to undermine the faith and confidence of the people in their government and/or duly-constituted authorities.
- f. The film glorifies criminals or condones crimes.
- g. The film is libelous or defamatory to the good name and reputation of any person, whether living or dead.
- h. The film may constitute contempt of court or of a quasi-judicial tribunal, or may pertain to matters which are subjudicial in nature.

Section 3. Movie Trailers -- Trailers, publicity and promotional materials for films must be made strictly suitable for a GENERAL AUDIENCE (“G”) classification. Trailers, publicity, and promotional materials that do not fall within the (“G”) classification shall not be approved for exhibition in a movie house, television broadcast, publication in print and other related media.

Section 4. Display of Permit to Exhibit -- A copy of the Permit to Exhibit shall be prominently posted or displayed at conspicuous places near the entrances and at the ticket booth of all theaters or cinemas or other venue where the motion picture is exhibited.

Section 5. Display of the Classification of the Film -- All theater or other venue owners or operators, producers, advertisers, billboard owners or operators, and any such other persons or entities responsible for advertising, making known, or publicizing a film shall always prominently display the Board’s classification of the film in all advertising, publicity, and promotional materials of whatever media, such as but not limited to images, posters, playbills, announcements, messages, standees, billboards, signages, banners, and marquees.

Consistent with Memorandum Circular No.99-02, the classification of the film shall be prominently displayed on a three (3)-foot high standee in the theater lobby.

Chapter IV ADMINISTRATIVE SANCTIONS

Any violation of this Memorandum Circular shall be dealt with the following penalties, to wit:

- a. 1st Offense: A warning that any further violation shall be dealt with more severely.
- b. 2nd Offense: A fine of Twenty Thousand Pesos (Php20, 000.00) shall be imposed.
- c. 3rd Offense: A fine of Fifty Thousand Pesos (Php50, 000.00) shall be imposed.
- d. 4th Offense: A fine of One Hundred Thousand Pesos (Php100, 000.00) shall be imposed.
- e. 5th Offense: A fine of Two Hundred Thousand Pesos (Php200, 000.00) plus one (1) week closure shall be imposed in case the violation is committed within one (1) year from the date of commission of the first offense.

Chapter V
REPEALING CLAUSE

All previous circulars, rules, and regulations of the Board that are inconsistent with the provisions of this Circular are hereby repealed, amended, or modified accordingly.

Chapter VI
SEPARABILITY CLAUSE

If for any reason, any provision of this Circular is declared invalid or illegal, the other sections or provisions not so declared, shall not be affected and shall remain in full force.

Chapter VII
EFFECTIVITY

This Circular shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and filed with the Office of National Administrative Register in the University of the Philippines Law Center, as required under the Administrative Code of 1987.

APPROVED by the Movie and Television Review and Classification Board, in a meeting called for the purpose, on **19 June 2012**.

Submitted and certified correct by:

(Sgd.) MARTA INES A. DAYRIT

Board Member

Chairperson, Committee on Revision of Film Classification

(Sgd.) ATTY. GABRIELA R. CONCEPCION

Board Member

Co-Chairperson, Committee on Revision of Film Classification

Noted by:

(Sgd.) MARY GRACE POE LLAMANZARES

Chairperson

(Sgd.) EMMANUEL H. BORLAZA

Vice Chairperson

Annex “B”

MEMORANDUM CIRCULAR NO. 10-2012

To : ALL THEATER OWNERS, OPERATORS,
AND MANAGERS

From : MTRCB CHAIRPERSON

Subject : DISPLAY AND EXHIBITION OF COLOR-CODED
FILM RATINGS ADVISORY

Date : 03 October 2012

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PURSUANT to Section 3(a) of Presidential Decree No. 1986, the BOARD hereby enacts and promulgates these revised rules and guidelines for the proper display and exhibition of classification ratings for motion pictures and color-coded film ratings advisory, as follows:

1. As revised under Memorandum Circular 08-2012 titled, “Revised Classification Rating for Films,” effective 31 August 2012, the classification ratings for motion pictures are as follows: “General Audience (G),” “Parental Guidance (PG),” “Restricted-13 (R-13),” “Restricted-16 (R-16),” and “Restricted-18 (R-18).”
2. The classification ratings for motion pictures shall be color coded, as follows:

Film Rating		Color
GENERAL AUDIENCE (G)	--	GREEN
PARENTAL GUIDANCE (PG)	--	BLUE
RESTRICTED-13 (R-13)	--	YELLOW
RESTRICTED-16 (R-16)	--	ORANGE
RESTRICTED-18 (R-18)	--	RED

3. The Board’s classification of a motion picture shall be prominently displayed on a movable three (3)-foot high standee in the theater lobby. The standee shall display the prescribed color-code and pictogram of the film rating and its corresponding film rating advisory.
4. Unless otherwise required by the Board, the standee and the color-coded film pictograms shall have the following minimum specifications:

STANDEE SPECIFICATIONS:

Standee height (ground to top)	Four (4) feet and (5) five inches
Standee printed area	Fourteen (14) inches by twenty two (22) inches (WxH)
Color-coded pictogram	Ten (10) inches by twelve (12) inches (WxH)
Pictogram font size	700 Verdana Bold (for “G”) 500 Verdana Bold (for “PG” to “R-18”) (same specifications as in film pictograms)
Font (full film rating)	40 Verdana Bold (black color)
Font (full film advisory)	40 Helvetica Bold (black color)
Material of printed area	Glossy paper

FILM PICTOGRAMS SPECIFICATIONS:

<p>A. GENERAL AUDIENCE</p> <p>Background Color: Green (#009900); Gradient overlay: 009900; 5af85a; 100% location; Font: Verdana, Bold, 302.04pt/250, Fbdfde, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>B. PARENTAL GUIDANCE</p> <p>Background Color: Blue (#024d82); Gradient overlay; #024d82, #3d46f7; Font: Verdana, Bold, 302.04pt/250, Fbdfde; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>C. RESTRICTED-13</p> <p>Background Color: Yellow (#ffc000), 100% CMYK; Font: Verdana, Bold, 302.04pt/250; Gradient overlay: 27f04/fabf7f/f27f04; Inner Bevel; Depth 368%; Size 73px; Direction – up; Soften – 9px; Angle 153% global light 53°; Shadow Mode: Multiply; Opacity 26%; Gradient overlay #04fa04; Outer Glow.</p>
<p>D. RESTRICTED-16</p> <p>Background Color: Orange (#fb9006); Font: Verdana, Bold, 302.04pt/250, Fbdfde, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>E. RESTRICTED-18</p> <p>Background Color: Red (#ff0000); Font: Verdana, Bold, 302.04pt/250, Fbdfde, Pillow</p>

emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss : Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft , Shading 106%.

5. Consistent with Section 3(k) of Presidential Decree No. 1986, immediately after every intermission, the Board's prescribed audio-video public service announcement on film classifications shall be exhibited on the theater screen. Also, immediately prior to every exhibition of any main film feature, the film's corresponding advisory rating shall be flashed on screen in the prescribed audio-video format.
6. The prescribed film pictogram and audio-video advisory shall be as follows:

A. GENERAL AUDIENCE (“G”)



GENERAL AUDIENCE

ANG PELIKULANG ITO AY RATED “G.” ITO AY PUWEDE SA LAHAT NG MANONOOD.

THIS MOVIE IS RATED “G.” IT IS SUITABLE FOR ALL AUDIENCES.

B. PARENTAL GUIDANCE (“PG”)



PARENTAL GUIDANCE

ANG PELIKULANG ITO AY RATED “PG.” ITO AY NANGANGAILANGAN NG PATNUBAY AT GABAY NG MAGULANG PARA SA MGA BATANG MANONOOD.

THIS MOVIE IS RATED “PG.” CHILDREN BELOW THIRTEEN (13) YEARS OLD MAY REQUIRE PARENTAL GUIDANCE AND DIRECTION.

C. RESTRICTED -13 (“R-13”)



RESTRICTED - 13

ANG PELIKULANG ITO AY RATED “R-13.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MAY EDAD NA MABABA SA LABINTATLONG (13) TAONG GULANG.

THIS MOVIE IS RATED R-13. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW THIRTEEN (13) YEARS OLD.

D. RESTRICTED-16 (“R-16”)



RESTRICTED-16

ANG PELIKULANG ITO AY RATED “R-16.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MAY EDAD NA MABABA SA LABING-ANIM NA (16) NA TAONG GULANG.

THIS MOVIE IS RATED R-16. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW SIXTEEN (16) YEARS OLD.

E. RESTRICTED-18 (“R-18”)



RESTRICTED-18

ANG PELIKULANG ITO AY RATED “R-18.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA NA HINDI ANGKOP SA MAY GULANG NA MABABA SA EDAD LABING-WALONG (18) TAONG GULANG.

THIS MOVIE IS RATED R-18. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW EIGHTEEN (18) YEARS OLD.

7. The prescribed MTRCB poster, on the proper understanding of the film classification categories, shall be prominently displayed in a conspicuous place near every cinema ticket booth. Every cinema operator shall make available such adequate number of posters as there are ticket booths. The said poster, printed on glossy paper, and with dimensions of 27 inches by 40 inches (WxH), shall contain the advisories with text, pictograms and images, as prescribed by the Board. For this purpose, and to ensure uniformity, the Board shall make available to cinema or theater owner or operator, in digital format, the graphic content or material for the poster.

Any violation of this Memorandum Circular shall be dealt with in accordance with the provisions of Section 11 of P.D. 1986 and Chapter XIII of the 2004 Revised Implementing Rules and Regulations. If any provision of this Circular is declared invalid or illegal, the other sections or provisions thereof that are not affected shall remain in full force and effect.

This Circular shall take effect after fifteen (15) days of its publication in a newspaper of general circulation and its filing with the Office of the National Administrative Register in the University of the Philippines Law Center, as required by the Revised Administrative Code of 1987.

APPROVED, by the Movie and Television Review and Classification Board, in a meeting called for the purpose on 03 October 2012.

BY AUTHORITY OF THE BOARD:

MARY GRACE POE LLAMANZARES

Chairperson

Annex “C”

MEMORANDUM CIRCULAR NO. 05-2011

To : ALL TELEVISION NETWORKS, BLOCKTIMERS,
PROGRAM PRODUCERS AND DISTRIBUTORS

From : THE MTRCB CHAIRPERSON

Subject : REVISED CLASSIFICATION RATING FOR
TELEVISION PROGRAMS

Date : 25 August 2011

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Pursuant to Section 3(a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“BOARD” for brevity) hereby amends Section 2, Chapter IV of the 2004 Implementing Rules and Regulations of P.D. 1986 regarding classification ratings for television programs.

Upon the effectivity of this Circular, all television programs are to be classified as GENERAL PATRONAGE (“G”); PARENTAL GUIDANCE (“PG”); STRONG PARENTAL GUIDANCE (“SPG”); and DISAPPROVED FOR AIRING ON TELEVISION (“X”). However, the Board will announce the actual implementation of “SPG” and its guidelines after the completion of a public awareness campaign.

For your proper information and guidance.

(Sgd) MARY GRACE POE LLAMANZARES
Chairperson

Implementing Guidelines
of
MEMORANDUM CIRCULAR NO. 05-2011
amending Section 2, Chapter IV of the 2004 Implementing
Rules and Regulations of P.D. 1986

Pursuant to Section 3(a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“Board” for brevity), hereby enacts and promulgates the following rules as guidelines for the proper implementation of Memorandum Circular No. 05-2011:

Chapter I
SCOPE OF APPLICATION

Section 1. Coverage -- These Rules shall cover all television programs, motion pictures, and publicity materials for, or pertaining to, television broadcast including cable television service.

Section 2. All television programs must strictly comply with the classification rating herein prescribed, otherwise, they shall not be approved for television broadcast.

Chapter II
DEFINITION OF TERMS

Section 1. Definition of Terms -- As used in these implementing guidelines, the following terms shall mean:

- a) *Adult* -- Refers to any person who is eighteen (18) years of age or over.
- b) *Board* -- Refers to the Movie and Television Review and Classification Board or to any of its Committees acting for and in behalf of the Board.
- c) *Cable Television Service* -- Refers to the delivery of audiovisual material, whether by wire or wireless method, to subscribers for a consideration, whether in the form of subscription fee, membership fee, or its equivalent.
- d) *Classification* -- Refer to the rating imposed by the Board on any motion picture, television or cable television programs, publicity materials and advertisements to determine audience suitability.
- e) *Child* -- Refers to any person less than eighteen (18) years of age.
- f) *Motion Picture* -- Refers to a series of pictures projected on screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move, whether the picture be black and white or colored, silent or with accompanying sound, on whatever medium and with whatever mechanisms or equipment they are projected, and in whatever material they are preserved or recorded for instant projection.
- g) *Publicity Material* -- Refers to any audio or video material or a combination thereof of short duration (usually from five (5) seconds to thirty (30) seconds) that is shown on television designed to generate public interest in a television program, motion picture, people, place or product.
- h) *Television Broadcast* -- Refers to the public exhibition by transmitting sound or images by television or similar equipment, including cable television, and other limited audience distribution.
- i) *Television Program* -- Refers to any matter aired or broadcast on free television or cable television including but not limited to public affairs programs, live programs, advertisements, game shows, teleplays and motion pictures.

Chapter III TELEVISION CLASSIFICATION

Section 1. Television Classification -- All television programs are to be classified as GENERAL PATRONAGE (“G”); PARENTAL GUIDANCE (“PG”); STRONG PARENTAL GUIDANCE (“SPG”); and DISAPPROVED FOR AIRING ON TELEVISION (“X”). In classifying a television program, the Board shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, illegal drugs and other elements.

Section 2. Guidelines for Television Classification -- Applying contemporary Filipino cultural values as standard, the following are the guidelines for television classification:

- A. **GENERAL PATRONAGE** (“G”) – Suitable for all ages. Material for television, which in the judgment of the BOARD does not contain anything unsuitable for children.

A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “G” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material. The text of the full-screen written advisory shall be written in font 15 of arial-narrow. The pictogram advisory showing a capital letter “G” written on a green box with an MTRCB logo at the top and the phrase “*General Patronage For All Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 45mm x 55mm in size. The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

***“ANG SUSUNOD NA PROGRAMA AY RATED “G”.
ITO AY PUWEDE SA LAHAT NG MANONOOD.”***



- B. **PARENTAL GUIDANCE** (“PG”) – Parental guidance suggested. Material for television, which, in the judgment of the BOARD, may contain some adult material that may be permissible for children to watch but only under the guidance and supervision of a parent or adult.

The “PG” classification advises parents to exercise parental responsibility in their children’s viewing of the program. A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “Parental

Guidance” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material classified as such. The text of the full-screen written advisory shall be written in font 15 of arial-narrow. The pictogram advisory showing a capital letter “PG” written on a blue box with an MTRCB logo at the top and the phrase *“Parental Guidance For Young Viewers”* at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 45mm x 55mm in size. The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

***“ANG SUSUNOD NA PROGRAMA AY RATED
“PG”. ITO AY NANGANGAILANGAN NANG
PATNUBAY AT GABAY NG MAGULANG PARA
SA MGA BATANG MANONOOD.”***



The television program classified as “PG” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – More serious issues may be tackled but the treatment must be suitable to children below thirteen (13) years old.
2. **LANGUAGE** – Very mild swear words only shall be allowed. Use of a strong expletive in a sexual context, or sexually-based expletives shall not be allowed. Neither shall prolonged and/or successive use of expletives be allowed.
3. **NUDITY** – Occasional natural nudity, with no sexual activity, is permissible.
4. **SEX** – Graphic depiction of sexual activity shall not be permitted. Sexual activity may be implied but with no details shown.
5. **VIOLENCE** – There should be no glamorization of weapons and crimes. No detail of fighting or other dangerous techniques. No detail or prolonged showing of violence or suffering. There should be a redeeming social value at the end.
6. **HORROR** – Scary sequences must be mild and brief.
7. **DRUGS** – There may only be implied depiction of prohibited drugs and/or substances or their use provided it does not condone, encourage or glamorize drug and/or substance use and it should be necessary to the theme and characterization.

- C. **STRONG PARENTAL GUIDANCE** (“SPG”) -- Stronger and more vigilant parental guidance is suggested. Programs classified “SPG” may contain more adult topic and theme, which may not be advisable for children to watch except under the vigilant guidance and presence of a parent or adult.

The “SPG” classification warns parents to exercise greater parental responsibility in their children’s viewing of the program. A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “Strong Parental Guidance” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material classified as such. The text of the full-screen written advisory shall be written in font 15 of arial-narrow. The pictogram advisory showing a capital letter “SPG” written on a red box with an MTRCB logo at the top and the phrase “*Strong Parental Guidance For Young Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 45mm x 55mm in size.

Midway in the full showing of the particular television material classified as “SPG”, the pictogram advisory and the full screen written and verbal advisory shall again be shown on screen in the same way as in the opening credits.

The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

“ANG SUSUNOD NA PROGRAMA AY RATED “SPG”. ITO AY NANGANGAILANGAN NANG “STRIKTONG” PATNUBAY AT GABAY NG MAGULANG DAHIL SA MGA SENSITIBONG TEMA AT EKSENA NA HINDI ANGKOP SA MGA BATA.”



The Board shall announce the actual implementation of “SPG” and its guidelines after the completion of a public awareness campaign.

- D. **DISAPPROVED FOR AIRING ON TELEVISION** (“X”) -- Any television program that does not conform to the “G”, “PG” or “SPG” classification shall be disapproved for television broadcast. The material shall be disapproved for television broadcast if, in the judgment of the Board applying contemporary Filipino cultural values as standard, it is objectionable for being immoral, indecent, contrary to law

and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence, or of a wrong, or crime, such as but not limited to:

1. The work depicts in a patently lewd, offensive, or demeaning manner, excretory functions, and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
2. The work clearly constitutes an attack against any race, creed or religion.
3. The work condones or encourages the use of illegal drugs and substances.
4. The work tends to undermine the faith and confidence of the people in their government and/or duly constituted authorities.
5. The work glorifies criminals or condones crimes.
6. The work is libelous or defamatory to the good name and reputation of any person, whether living or dead.
7. The work may constitute contempt of court of a quasi-judicial tribunal, or may pertain to matters, which are subjudice in nature.

Chapter IV ADMINISTRATIVE SANCTIONS

Section 1. Any violation of this Memorandum Circular shall be dealt with in accordance with the provisions of Section 11 of P.D. 1986 and Chapter XIII of its 2004 Revised Implementing Rules and Regulations.

Chapter V SEPARABILITY CLAUSE

Section 1. If for any reason any provision of this Circular is declared invalid or illegal, the other sections or provisions thereof shall not be affected and shall remain in full force.

Chapter VI EFFECTIVITY

Section 1. These Implementing Rules and Regulations shall take effect after fifteen (15) days following their publication in a newspaper of general circulation and filed with the Administrative Registrar in the University of the Philippines Law Center, as required under the Administrative Code of 1987.

APPROVED by the Movie and Television Review and Classification Board, in a meeting called for the purpose, on **25 August 2011**.

Submitted and certified correct by:

(Sgd.) **ATTY. GABRIELLA R. CONCEPCION**
Board Member
Chairperson, Committee on TV Classification Rating

Noted by:

(Sgd.) **MARY GRACE POE LLAMANZARES** (Sgd.) **EMMANUEL H. BORLAZA**
Chairperson Vice Chairperson

Annex “D”

MEMORANDUM CIRCULAR NO. 12-2011

To : ALL TELEVISION NETWORKS, BLOCKTIMERS,
PROGRAM PRODUCERS AND DISTRIBUTORS

From : MTRCB CHAIRPERSON

Subject: GUIDELINES FOR THE STRONG PARENTAL GUIDANCE (SPG)
CLASSIFICATION RATING

Date : 01 December 2011

.....

WHEREAS, the Constitution has imposed the sacred obligation and responsibility on the State to provide protection to the youth against illegal or improper activities which may prejudice their general well-being.

WHEREAS, the welfare of the children and the State’s mandate to protect and care for them, as *parens patriae*, constitute a substantial and compelling government interest in regulating content of television broadcast.

WHEREAS, the best interests of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children, as enunciated in the United Nations Convention on the Rights of the Child.

WHEREAS, the government has to balance the interest of the State to protect and promote the development and welfare of the youth with the interest of the broadcast industry to full enjoyment of the freedom of speech vis-à-vis the self-regulatory schemes undertaken by the different broadcast networks.

NOW, therefore, pursuant to Memorandum Circular No. 05-2011 in relation to Section 3(a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“BOARD”) hereby enacts and promulgates the following rules and guidelines for the proper implementation of the Strong Parental Guidance (SPG) classification rating for television programs, as follows:

STRONG PARENTAL GUIDANCE (“SPG”) -- Stronger and more vigilant parental guidance is suggested. Programs classified “SPG” may contain more serious topic and theme, which may not be advisable for children to watch except under the vigilant guidance and presence of a parent or adult.

The “SPG” classification warns parents to exercise greater parental responsibility in their children’s viewing of the program. The television program classified as “SPG” must still fall within the parameters of the existing Parental Guidance classification rating. However, to merit the issuance of an “SPG” rating, the gravity of the material must, in the judgment of the Board, be leaning towards the maximum allowable for Parental Guidance rating. In determining the proper classification rating, the Board shall consider the purpose, genre and time slot of the

program as well as the treatment and depiction of attendant factors such as but not limited to: *Theme* (**T**ema), *Violence* (**K**arahasan), *Drugs* (**D**roga), *Language* (**L**enggwahe), *Sex* (**S**ekswal), and *Horror* (**K**atatakutan).

In the exercise of its judgment, the Board shall take due consideration in balancing the interest of the State to protect the welfare of the youth with the interest of the broadcast networks to freedom of expression.

A pictogram advisory accompanied by a full-screen written advisory with voice over to the effect that the program is classified as “Strong Parental Guidance” shall be broadcast for at least twenty (20) seconds immediately before the opening credits and midway in the full airing of the particular television material classified as such. The full-screen advisory shall specifically declare the content descriptors sought to watch out for in the program being shown, such as but not limited to: *Theme* (**T**ema), *Violence* (**K**arahasan), *Drugs* (**D**roga), *Language* (**L**enggwahe), *Sex* (**S**ekswal), and *Horror* (**K**atatakutan).

The pictogram advisory showing the capital letters “SPG” written on a red box with the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. As the need may arise, the superimposed pictogram may be placed in other part of the television screen provided it is not done too often. The text in the pictogram of the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” shall be written in font ten (10) of arial-narrow solid white with black outline. The superimposed pictogram advisory shall be 32.5mm x 19.05mm in size.

Until further revised by the Board, the suggested pictogram advisory and full-screen written advisory with voice over in Filipino are as follows:

PRESCRIBED PICTOGRAM ADVISORY:



**STRONG PARENTAL GUIDANCE
STRIKTONG PATNUBAY AT GABAY**

FOR OPENING AND MIDWAY CREDITS:

“ANG PROGRAMANG ITO AY RATED “SPG”.

***“STRIKTONG” PATNUBAY AT GABAY NG
MAGULANG ANG KAILANGAN. MAY
MASESELANG TEMA, EKSENANG KARAHASAN,
DROGA, LENGGWAHE, SEKSWAL AT
KATATAKUTANG MAAARING HINDI ANGKOP
SA MGA BATANG MANONOOD.’***

Any violation of this Memorandum Circular shall be dealt with in accordance with the provisions of Section 11 of P.D. 1986 and Chapter XIII of its 2004 Revised Implementing Rules and Regulations. If any provision of this Circular is declared invalid or unconstitutional, the unaffected sections or provisions thereof shall remain in full force and effect.

This Circular shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and filed with the Office of the National Administrative Register in the University of the Philippines Law Center, as required under the Administrative Code of 1987.

APPROVED, by the Movie and Television Review and Classification Board, in a meeting called for the purpose, on **01 December 2011**.

Recommending approval:

(Sgd.) **ATTY. GABRIELLA R. CONCEPCION**
Board Member
Chairperson, Committee on TV Classification Rating

Noted by:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

(Sgd.) **EMMANUEL H. BORLAZA**
Vice Chairperson

Annex “E”

MEMORANDUM CIRCULAR NO. 05-2012

To : ALL FILM PRODUCERS/DISTRIBUTORS AND
THEATER AND NETWORK MANAGERS

From : MTRCB CHAIRPERSON

Subject: PERMIT TO EXHIBIT OF PUBLICITY MATERIALS

Date : 21 March 2012

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This is to reiterate Memorandum Circular No. 08-03 dated 30 April 2003 requiring permit to exhibit for publicity materials of motion pictures and television programs, whether in print or audio/video format. Each publicity material shall be assessed appropriate review fee. In the case of movie trailers imbedded in a particular movie material, the assessment shall be for every movie title of the corresponding imbedded movie trailers.

Only such versions of publicity materials duly approved and passed upon by the Board are fit for public exhibition. Film distributors are primarily responsible for the fitness and validity of all materials distributed for public screening. Corollarily, theater and television network managers should not accept from any film distributor any publicity material, especially imbedded movie trailers, that has not been duly cleared with the Board.

Any public exhibition of publicity materials that has not been duly approved and passed upon by the Board or without the corresponding permit to exhibit is punishable under Section 11 of P.D. 1986 with imprisonment of three (3) months and one(1) day to one (1) year plus fine of not less than Php50,000.00 but not more than Php100,000.00, without prejudice to the cancellation of registration permit or closure of the theater or television network.

For your proper guidance and strict compliance.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

Annex “F”

MEMORANDUM CIRCULAR NO. 03-2012

To : ALL TELEVISION NETWORKS, BLOCKTIMERS,
PROGRAM PRODUCERS AND DISTRIBUTORS

From : MTRCB CHAIRPERSON

Subject : REVIEW AND CLASSIFICATION OF TELEVISION
PROGRAMS BASED ON SAMPLE EPISODE

Date : 23 February 2012

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Pursuant to Section 3(a) of Presidential Decree No. 1986, the BOARD hereby enacts and promulgates the following rules and guidelines for the proper review and classification of serial television programs based on sample episodes, as follows:

8. Serial television programs shall be reviewed and classified based on their sample episodes for a particular period.
9. A permit to exhibit issued based on a sample episode shall be limited to the following number of episodes: 1) for daily telecast, shall not exceed twenty (20) episodes; 2) for weekly telecast, shall not exceed ten (10) episodes. The sample episode itself must be one of the episodes to be shown within the covered period.
10. Serial television programs that are given a “PG” or “SPG” rating shall be subjected to an automatic post evaluation review for purposes of determining the propriety of the classification rating in relation to the progression of the program’s thematic content.
11. Unless determined by the Board to the contrary, episodes shown on Fridays shall be submitted to the Board a day after their airing for purposes of post evaluation review. If the due date falls on a non-working day of the Board, the material shall be submitted on the immediately following working day.
12. To facilitate proper post evaluation review, the program producer shall submit a copy of the material as shown on television together with a synopsis and a copy of its permit to exhibit.
13. Materials that are originally rated “Parental Guidance” may be *motu proprio* reclassified by the network or program producer to “Strong Parental Guidance”, if they deem fit in the exercise of self-regulation, without the necessity of a prior approval from the Board.
14. However, materials that are originally rated “Strong Parental Guidance” cannot be *motu proprio* reclassified by the network or program producer to “Parental Guidance” without prior written approval from the Board.
15. The pay-before-broadcast rule for the airing of each episode shall continue to be observed.

16. Sample episodes of serial programs on daily telecast shall be submitted for proper review and classification at least five (5) days prior to airing date, otherwise, a special review fee shall be imposed in addition to the regular review fee. However, television programs not on daily telecast shall continue to be regulated by the ten (10)-day prior-to-airing rule.
17. The Board shall retain all sample episodes for record and monitoring purposes. To facilitate efficient archival of retained sample episodes, the Board shall only accept said materials in an optical media format (DVD/VCD).
18. Any violation of this Circular shall be subject to sanctions under Section 1, Chapter XIII of the 2004 Implementing Rules and Regulations of P.D. No. 1986 in relation to Section 11 of the Decree.

APPROVED, by the Movie and Television Review and Classification Board, in a special meeting called for the purpose on **23 February 2012**. This Circular takes effect immediately upon its approval.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

Annex “G”

MEMORANDUM CIRCULAR NO. 07-2012

To : ALL CONCERNED GOVERNMENT ENTITIES

From : MTRCB CHAIRPERSON

Subject : REVISED GUIDELINES ON EXEMPTION OF
GOVERNMENT MATERIALS PER SEC. 7 OF P.D. 1986

Date : 02 May 2012

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PURSUANT to Section 3(a) of Presidential Decree No. 1986, the BOARD hereby enacts and promulgates the revised rules and guidelines for the proper implementation of exemption from review and classification of legitimate government materials pursuant to Section 7 of P.D. 1986:

- a. Only those motion pictures, television programs and publicity materials that are directly imprinted or exhibited by the Philippine Government and/or its departments and agencies are exempt from review and classification by the Board.
- b. At the option of the requesting government agency, the material under consideration maybe submitted to the Board for advisory classification to determine audience suitability. An advisory charge of Two Thousand Pesos (Php2,000.00) shall be made for every full length motion picture submitted to the Board for advisory classification.
- c. All requests for exemption from review and classification must be in the prescribed application form made under oath by the head of the agency concerned. In case the request for exemption is made by bureau or office head, or by local government authorities, the application shall be signed under oath by the Secretary of the department concerned. Any representative signing on behalf of the Secretary or Head of Agency must be armed with a notarized special power of attorney for the specific purpose of applying for exemption from review and classification.
- d. The prescribed application for exemption from review and classification shall contain the name and address of the requesting government agency, the specific government activity relied as basis for exemption, the details of the material sought for exemption, the intended date and place of exhibition, and the sworn undertaking of the Secretary or Head of Agency, as follows:
 - i. That the public exhibition of the above-described material is a governmental activity of our agency pursuant to its direct governmental mandate.
 - ii. That we take direct and primary responsibility for its public exhibition.
 - iii. That we have mechanism in place to make sure that only such age of person suited for the material be admitted to its public exhibition.
 - iv. That the material does not contain scenes which, applying contemporary Filipino cultural values as standard, are objectionable for being indecent, immoral, contrary to law, and/or good customs, injurious to the prestige of

the Republic of the Philippines or its people, with dangerous tendency to encourage the commission of violence, or of a wrong or crime, tend to glorify criminals or condone crimes, or libelous or defamatory to the good name and reputation of any person.

- e. The duly filled-up and notarized application shall be accompanied by a synopsis of the material sought for exemption, and the same shall be submitted to the Registration Division of the Board for appropriate issuance of exemption permit. One application form shall be required for every material sought for exemption.
- f. An amount of Five Hundred Pesos (Php500.00) shall be assessed for every issuance of exemption permit. The exemption permit may contain an advisory rating if the material under consideration was submitted for advisory classification.
- g. The material covered by an exemption permit can be publicly exhibited anywhere in the Philippines. However, such public exhibition can only be done by the government agency that was granted an exemption permit. The exemption permit is not assignable or transferable to any private entity or other agency of the government.
- h. No motion picture theater or television station shall cause the public exhibition of any motion picture, television program or publicity material not duly passed upon by the Board or duly issued an exemption permit.
- i. An application for exemption shall be denied if the requesting government agency fails to substantiate that the public exhibition of the material under consideration is pursuant to its direct governmental mandate.

Any person who violates the provisions of this Circular shall be subject to criminal prosecution under Section 11 of P.D. 1986. This Circular takes effect immediately upon its approval.

APPROVED, by the Movie and Television Review and Classification Board, in a meeting called for the purpose on **02 May 2012**.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

Annex “H”

MEMORANDUM CIRCULAR NO. 06-2012

To : ALL PERSONS AND ENTITIES UNDER THE SUPERVISION AND REGULATION OF THE BOARD

From : MTRCB CHAIRPERSON

Subject : REVISED REGISTRATION SCHEDULE

Date : 26 APRIL 2012

.....

Pursuant to Section 3(a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“BOARD”) hereby enacts and promulgates the following revised rules and guidelines for the proper registration and assessment of fees of all persons and entities under the supervision and regulation of the Board, as follows:

A. COVERED ENTITIES

All persons and entities authorized by law to engage in the movie and television industry such as but not limited to importers or exporters of films and television programs, film studios or laboratories, television networks, cable television operators, movie producers, television program producers, film distributors and booking agents, shall register with the Board pursuant to Section 3(d) of P.D. 1986.

B. SCHEDULE OF REGISTRATION

I. For entities required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA) from the National Telecommunications Commission, the registration fee shall be assessed, as follows:

Date of Issuance of CA/PA	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	Registration will commence on the following year

II. For entities **NOT** required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA), the registration fee shall be assessed based on the date of actual operation, as follows:

Date of Actual Operation	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	25% of the prescribed registration fee

III. Entities found unlawfully engaging in the movie and television industry shall be assessed one hundred percent (100%) of the prescribed registration fee plus a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee reckoned from the date of actual operation or date of issuance of Congressional Franchise, P.A. or C.A., whichever is earlier. No surcharge shall be imposed on the year of issuance of the original Congressional Franchise, P.A. or C.A.

C. RENEWAL OF REGISTRATION

Registration of all entities required by law to register with the Board shall be renewed annually, which shall be made not later than January 30 of every year. To encourage timely and prompt renewal of registration, a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee shall be assessed on late registrants.

D. REPEALING CLAUSE

All previous circulars, rules and regulations of the Board inconsistent herewith are hereby repealed, amended, or modified accordingly.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

Annex “I”

MEMORANDUM CIRCULAR NO. 10-2011

To : ALL TELEVISION NETWORKS AND ALL OPERATORS
OF THEATERS AND CABLE TELEVISION

From : MTRCB CHAIRPERSON

Subject : CREATION OF LOCAL REGULATORY COUNCILS
AND DEFINING THEIR POWERS AND FUNCTIONS

Date : 05 October 2011

.....

Whereas, Section 13 of Presidential Decree No. 1986 vests upon the Movie and Television Review and Classification Board (“BOARD”) the power to inspect all public exhibition of any motion picture or publicity material in theaters and other public establishments;

Whereas, Section 2, Chapter XII of the Implementing Rules and Regulations of P.D. No. 1986 tasks the Board to constitute Local Regulatory Councils in every province, city or municipality to assist the Board in the implementation of the provisions of P.D. No. 1986;

Whereas, pursuant to Section 3(a) of Presidential Decree No. 1986, the Board hereby enacts and promulgates the following rules and regulations governing the creation of Local Regulatory Councils (LRC) and defining their powers and functions.

Section 1. Coverage -- These Rules shall cover the creation of Local Regulatory Councils and defining their powers, duties and compositions.

Section 2. Creation of Regulatory Councils -- To assist in the implementation of policies enunciated in Presidential Decree No. 1986, the Local Regulatory Councils are hereby created. As the exigency of the service may require, a Local Regulatory Council shall be created, whenever practicable, in every region, province, city or municipality in the Philippines.

A Local Regulatory Council shall be composed of at least ten (10) members chosen from a particular geographical unit as would produce a multi-sectoral combination of expertise from local government agencies, non-governmental organizations, people’s organizations, civic or religious organizations. The Local Regulatory Councils shall be placed under the Office of the Chairperson of the Board.

The members of the Local Regulatory Councils shall be appointed by the Chairperson of the Board and shall hold office for a term of one (1) year, unless sooner removed for any cause. A member may be eligible for reappointment after the lapse of his/her term.

Every member of the Local Regulatory Council shall be issued Identification Card by the Board. The LRC ID is purple in color and clearly indicates the name of the LRC member and the place of his/her LRC locality. Every LRC identification card is valid for one (1) year only.

Section 3. Qualifications -- The members of Local Regulatory Councils shall be Filipino citizens, at least eighteen (18) years of age, and of known good moral character and probity, especially in the locality where he/she sought appointment.

Section 4. Compensation -- Appointment to a Local Regulatory Council is public service and privilege, as such, no member thereof shall be entitled to salaries, honoraria or allowances except reimbursement of expenses for activities duly approved by the Board.

Section 5. Powers and Functions -- A Local Regulatory Council shall have the following powers, duties and functions:

- a) To conduct monitoring activities, by itself or in coordination with other competent agencies of the government, at any time, of establishments or entities within the jurisdiction of the Board to determine compliance with the provisions of P.D. 1986 and its implementing rules and regulations. Specifically, the Local Regulatory Council is tasked to monitor all television broadcast in free TV and Cable TV.
- b) To immediately report to the Board any violation of the provisions of P.D. 1986 and its implementing rules and regulations.
- c) To assist the Board in the public dissemination of policies, rules and regulations promulgated pursuant to the provisions of P.D. 1986 and its implementing rules and regulations.
- d) To recommend to the Board of reasonable regulations appropriate to a particular locality.
- e) To perform such other duties, powers and functions as may be authorized in writing by the Board.

Section 6. Privileges of LRC Card Holder -- A member of the Local Regulatory Council shall be subject to the same rights, privileges and restrictions as that of a regular MTRCB Deputy Cardholder. Any abuses committed by member of the Local Regulatory Council shall mean immediate termination of all his/her rights and privileges as an MTRCB Deputy.

Section 7. Sanctions -- Any violation of these Rules shall be dealt with appropriate administrative and criminal prosecution in accordance with the provisions of Sections 3 and 11 of P.D. 1986 and its 2004 Revised Implementing Rules and Regulations.

Section 8. Sanctions – These rules shall take effect immediately upon its approval.

APPROVED, by the Movie and Television Review and Classification Board, on **05 October 2011** in Quezon City, Philippines.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

OTHER MEMORANDUM CIRCULARS

MEMORANDUM CIRCULAR NO. 11-2012

To : ALL THEATER MANAGERS AND BOARD DEPUTIES
From : MTRCB CHAIRPERSON
Subject : ENDORSEMENT OF DEPARTMENT OF HEALTH'S
THEATER-SANITATION ASSESSMENT
Date : 28 August 2012

.....

The Board received a letter dated 31 July 2012 from **Dr. Enrique T. Ona, Secretary** of the **Department of Health**, and the contents of which are reproduced hereunder in verbatim:

“One of the Department of Health’s duties in safeguarding public health is to protect the people from the spread of communicable diseases. This entails monitoring places, such as movie theaters, that are often frequented by the public and checking if they have met sanitary standards for operation.

It is very important for movie theaters to maintain a sanitary environment as a lot of people often go in and out of these places and can easily spread communicable diseases. Certain requirements for ensuring sanitized movie theaters are proper cleaning of floors and carpets, daily removal of wastes and proper trash disposal as well as the disinfection and sanitization of restrooms.

The Department of health had inspected some of the movie theaters in Metro Manila and had come up with the following potential health hazards which need to be paid attention to and adequately addressed:

- Food on Snack Bars -- Snack bars in movie theaters should be practicing the same sanitation techniques that are being done in restaurants. Cleanliness should be observed in the preparation and handling of food to ensure that these are safe to eat by the public.
- Reusable 3-D Glasses -- The 3-D glasses which have now become popular in watching movies can be a potential health hazard as it can expose users to diseases such as conjunctivitis or sore eyes. There is therefore a need to have 3-D glasses properly sterilized to prevent the spread of these diseases.
- Exposure to Airborne Viruses -- The most prominent health hazard in any public venue is the exposure to airborne pathogens that can lead to the common cold or flu. This exposure can be higher in dirty movie theaters where armrests, door handles, counters and other surfaces where

infectious droplets may be present, aren't cleaned properly. In order to avoid this health hazard, proper sanitation is needed.

- Restrooms Provided for Moviegoers -- Toilet facilities are potential health hazards as they can be easily contaminated with bacteria which can be transferred from person to person. We are glad to note however that in general, restrooms in movie theaters are adequate, clean and well-maintained. The toilet facilities are also easily accessible, with urinals for both adults and children. Restrooms also contain sinks for proper hand washing, with some even having hand soaps and posters on proper hand-washing techniques. The toilet facilities also have working flushes and are well-ventilated and lighted.”

The Board hereby endorses the foregoing theater-sanitation assessment of the Department of Health. In the interest and welfare of the movie-going public, all theaters managers are encourage to pay attention and to adequately address the sanitation of their theaters.

All Board Deputies are enjoined to **report to the Board** the state of sanitation of theaters being monitored in order that proper action of the same may be taken by the Department of Health and concerned local government units.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 09-2012

TO : ALL THEATER OWNERS, OPERATORS AND MANAGERS
ALL MOTION PICTURE PRODUCERS AND DISTRIBUTORS

FROM : THE CHAIRPERSON

SUBJECT : REVIEW AND CLASSIFICATION OF FILM VERSIONS

DATE : 19 JULY 2012

.....

WHEREAS, pursuant to Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“BOARD” for brevity) is mandated to review, examine, classify and approve all motion pictures, television programs, and other related publicity materials.

WHEREAS, there is a call from the movie industry, particularly the directors and/or producers, that in order to uplift the development of the said industry, especially the local film industry, the Board shall allow the separate review and classification of different versions of the same film, in order to cater to different age groups or types of audience.

NOW, therefore, pursuant to Section 3 (a) of Presidential Decree No. 1986, the Board hereby enacts and promulgates these guidelines for the proper review and classification of versions of the same film.

The review and classification of versions of a film may be allowed, provided all the following conditions are met:

1. Each version of a film shall be subject to a separate review and the corresponding fees and/or charges.
2. The title of the version shall always prominently and conspicuously bear the classification category determined by the Board, and said classification category shall be in the same font size as the main title; provided: that such classification category shall appear right before the main title, for example: R-13 – “The Movie Title, or R-18 – “The Movie Title Director’s Cut.” The said classification category shall be carried in all promotional materials and trailers, and shall specify that there is more than one version, as the case may be. The producers and/or distributors of a film may nonetheless use such descriptive words in the title, as they may deem appropriate to indicate that the film is of a different classification category.
3. The different versions of a film, as determined by the Board, may be allowed simultaneous theatrical runs, provided that such runs shall not in any way contravene Presidential Decree No. 1986 and its implementing rules, regulations, and guidelines, including but not limited to the prohibition against illegal and/or unauthorized insertions, which defeat the classification category determined by this Board for a particular film.
4. This Memorandum Circular shall be effective immediately.

APPROVED by the Movie and Television Review and Classification Board, in a meeting called for the purpose, on **19 July 2012**.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 02-2012

To : FILM PRODUCERS, DISTRIBUTORS
AND OTHER CONCERNED GOVERNMENT ENTITIES

From : MTRCB CHAIRPERSON

Subject : GUIDELINES ON PUBLIC EXHIBITION OF
GOVERNMENT MATERIALS PER SEC. 7 OF P.D. 1986

Date : 13 February 2012

.....

WHEREAS, the welfare of the children and the State's mandate to protect and care for them, as *parens patriae*, constitute a substantial and compelling government interest in regulating content of motion picture and television broadcast.

WHEREAS, the best interests of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children, as enunciated in the United Nations Convention on the Rights of the Child.

WHEREAS, Presidential Decree No. 1986 vests in the Movie and Television Review and Classification Board ("BOARD") the sole authority to regulate public exhibition of motion pictures, television programs and publicity materials.

WHEREAS, Section 7 of Presidential Decree No. 1986 declares as unlawful for any person to publicly exhibit any motion, television program and publicity material without proper authority from the BOARD except those materials imprinted or exhibited by the Philippine Government and/or its departments and agencies.

WHEREAS, issues were raised whether the exemption from review of government materials needs prior express declaration from the BOARD.

NOW, THEREFORE, pursuant to Section 3(a) of Presidential Decree No. 1986, the BOARD hereby enacts and promulgates the following rules and guidelines for the proper implementation of public exhibition of materials by government agencies and instrumentalities, as follows:

- a. All motion pictures, television programs and publicity materials for public exhibition by any agency or instrumentality of the government must be reviewed and classified by the BOARD for public advisory purposes.
- b. The concerned government agency or instrumentality must undertake that it produced and will publicly exhibit the subject motion picture, television program or publicity material pursuant to its direct governmental mandate of delivering public goods or services.

- c. No review and permit fee shall be imposed on public exhibition of legitimate government materials provided that a letter-request for waiver of fees, duly signed by the head of the department or agency concerned, is attached to the application for review and classification.
- d. For proper review and classification, the applicant government agency shall submit the material under consideration together with a synopsis thereof.
- e. In case of non-governmental film festivals, all participating films shall be subject of review and classification by the BOARD and payment of proper fees therefor. A co-partnership by a government agency/instrumentality does not make the festival a pure governmental activity.

APPROVED, by the Movie and Television Review and Classification Board, in a meeting called for the purpose on **13 February 2012**. This Circular takes effect immediately upon its approval.

Recommending approval:

(Sgd.) **MARIO A. HERNANDO**
Board Member
Chairperson, Committee on Film Festival

Noted by:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

(Sgd.) **EMMANUEL H. BORLAZA**
Vice Chairperson

MEMORANDUM CIRCULAR NO. 01-2012

To : ALL THEATER OWNERS / MANAGERS / CHECKERS
BOARD MEMBERS / STAFF / DEPUTIES

From : THE MTRCB CHAIRPERSON

Subject : ISSUANCE OF NEW MTRCB DEPUTY CARDS

Date : 04 January 2012

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Pursuant to the power of the Board to inspect all public exhibitions of motion picture (Section 13 of P.D. No. 1986), please be informed of the issuance of NEW DEPUTY CARDS valid for the year 2012. The color of the new deputy cards is METALLIC GOLD and BLACK on its face and WHITE on the opposite side. Aside from the newly-introduced electronic security feature of the card, it bears the deputy's name, photograph and validity date, which is 23 December 2012.

The new deputy cards are valid beginning 16 January 2012. However, all existing deputy cards (black in color) are still valid until 31 January 2012.

This memorandum supersedes all other issuances of the Board to the contrary.

Please be guided accordingly.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 14-2011

To : TELEVISION NETWORKS, CABLE TV OPERATORS,
THEATER OPERATORS AND PROGRAM PRODUCERS

From : MTRCB CHAIRPERSON

Subject : EXTENDING THE DEADLINE FOR REGISTRATION
OF AFFECTED ENTITIES OPERATING IN REGION 10

Date : 21 December 2011

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In view of the declaration of a state of calamity in the affected areas of Region 10 resulting from the massive loss and destruction on 17 December 2011 brought about by typhoon ‘Sendong’, the BOARD resolves to extend the annual registration deadline of all television stations, cable television operators, theater operators and program producers operating within the calamity-affected areas, specifically the cities of Cagayan De Oro and Iligan.

To enable all these affected entities registered in Region 10 to attend to more pressing needs at this time of calamity, the deadline for their annual registration for the year 2012 is hereby **EXTENDED** until 31 January 2012, without surcharge.

The foregoing authority is APPROVED by the Board, in a Special Meeting called for the purpose, on 20 December 2011.

BY AUTHORITY OF THE BOARD

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 09-2011

To : ALL OPERATORS OF COMMON CARRIERS
AND OTHER PUBLIC PLACES

From : MTRCB CHAIRPERSON

Subject : RULES GOVERNING PUBLIC EXHIBITION OF FILMS
IN COMMON CARRIERS AND OTHER PUBLIC PLACES

Date : 05 October 2011

.....

Whereas, under Presidential Decree No. 1986, the Movie and Television Review and Classification Board (“BOARD” for brevity) is tasked to review, examine, classify and approve all motion pictures, television programs, optical media materials and other related publicity materials;

Whereas, many common carriers and other public places have on-board and/or installed television sets, projector screens and other viewing devices that openly and publicly exhibit motion pictures without regard to audience suitability of the material being shown;

Whereas, the State has the sacred obligation and responsibility to promote and protect the right of the youth to moral, spiritual, intellectual, and social well-being against all forms of neglect, exploitation, immorality, undesirable materials, and corrupting experiences;

Whereas, pursuant to Section 3(a) of Presidential Decree No. 1986, the Board hereby enacts and promulgates the following rules and regulations governing public exhibition of motion pictures in common carriers and other public places.

Chapter I
SCOPE OF APPLICATION

Section 1. Coverage -- These Rules shall cover all unrestricted public exhibition of motion pictures in common carriers and other public places. However, common carriers and other public places that have appropriate control measures to implement audience suitability in the public exhibition of motion pictures are beyond the coverage of these Rules.

Chapter II
DEFINITION OF TERMS

Section 1. Definition of Terms -- As used in these rules and regulations, the following terms shall mean:

- i) *Adult* -- Refers to any person who is eighteen (18) years of age or over.

- j) *Board* -- Refers to the Movie and Television Review and Classification Board or to any of its Committees acting for and in behalf of the Board.
- k) *Classification* -- Refers to the rating imposed by the Board on any motion picture, television or cable television programs, publicity materials and advertisements to determine audience suitability.
- l) *Child* -- Refers to any person less than eighteen (18) years of age.
- m) *Common Carrier* -- Refers to any person, corporation, firm or association engaged in the business of carrying or transporting passengers or goods or both by land, water, or air, for compensation, offering their services to the public, such as but not limited to public utility vehicles, passenger ships and commercial airplanes.
- n) *Motion Picture* -- Refers to a series of pictures projected on screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move, whether the picture be black and white or colored, silent or with accompanying sound, on whatever medium and with whatever mechanisms or equipment they are projected, and in whatever material they are preserved or recorded for instant projection.
- o) *Other Public Place* -- Refers to an indoor or outdoor area other than a movie theater, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, serving as a place of work or used by the general public such as but not limited to restaurants, hotels, halls, lounges, plazas, bars and cafes.
- p) *Public Exhibition* -- Refers to the act of showing a motion picture in common carriers or other public places such as but not limited to theaters, restaurants, hotels, halls, lounges, plazas, bars, airplanes, ships, public utility vehicles, and other similar places that are open to the public regardless of monetary consideration or the number of persons present.

Chapter III TREATMENT AND CLASSIFICATION

Section 1. Treatment of Common Carriers and Other Public Places -- All common carriers and other public places that openly and publicly exhibit motion pictures shall be treated as movie theaters for purposes of regulation by the Board. The absence of a franchise or certificate of public convenience does not preclude the treatment that the vehicle, ship or airplane is a common carrier.

Section 2. Permissible Public Exhibition -- Owing to their public service character and accessibility to the public regardless of age, common carriers and other public places can only publicly exhibit such motion pictures classified by the Board as for GENERAL PATRONAGE (“G”) or PARENTAL GUIDANCE (“PG”). It is understood that “G” materials are those that do not contain anything unsuitable for children. On the other hand, “PG” materials are those, which, in the judgment of the Board, may contain some adult material that may be permissible for children to watch but only under the guidance and supervision of a parent or adult.

Section 3. Prohibited Public Exhibition -- Materials with contents beyond the “PG” rating, such as but not limited to the following, are prohibited for public exhibition in common carriers and other public places:

- Sexually derived and vulgar use of swear words or those referring to genitalia.
- Use of strong expletives.
- Sexually oriented nudity.
- Breast exposure.
- Implied and graphic depiction of sexual activity.
- Exhibition of genitalia and excretory functions.
- Glamorization of violence and criminals.
- Portrayal of characters taking pleasure in inflicting or receiving pain.
- Sexual violence.
- Focalization on injuries and blood.
- Images of drug and substance use.
- Gory and strong scary scenes.
- Those that are contrary to law and/or good customs.
- Those that are libelous or defamatory.

Chapter IV SANCTIONS

Section 1. Any violation of these Rules shall be dealt with appropriate administrative and criminal prosecution in accordance with the provisions of Section 11 of P.D. 1986 and Chapter XIII of its 2004 Revised Implementing Rules and Regulations.

Chapter V SEPARABILITY CLAUSE

Section 1. If any provision of these Rules is declared invalid or unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

Chapter VI EFFECTIVITY

Section 1. These Rules and Regulations shall take effect after fifteen (15) days following their publication in a newspaper of general circulation and filed with the Office of the National Administrative Register in the University of the Philippines Law Center, as required under the Administrative Code of 1987.

APPROVED, by the Movie and Television Review and Classification Board, on **05 October 2011** in Quezon City, Philippines.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 07-2011

To : INDEPENDENT FILM PRODUCERS
AND DISTRIBUTORS

From : THE MTRCB CHAIRPERSON

Subject : SPECIAL RATES FOR INDEPENDENT FILMS

Date : 08 September 2011

.....

It is the declared mandate of the Movie and Television Review and Classification Board (“Board” for brevity) to initiate plans and cooperate with the movie and television industry to improve, upgrade and make viable the industry as one source of fueling the national economy.

The Board recognizes the advent of Philippine Independent Cinema and the need to provide institutional support for its sustainability and economic viability. Hence, pursuant to Section 3(a) of Presidential Decree No. 1986, the Board hereby enacts and promulgates this Policy for the Special Rates for Independent Films.

To qualify as an Independent Film, the following essential requisites must all be present:

- a. Budget in making the film shall be less than Three Million Pesos (Php3,000,000.00), inclusive of post production expense.
- b. Director/Producer shall submit a notarized undertaking that the film is not associated or affiliated with any major film outfit.
- c. Director and Producer must be Filipino citizen. If producer is a juridical person, the entity must be 100% Filipino-owned.
- d. Production crew shall be composed of at least seventy-five (75%) percent Filipino citizens.

-- AND AT LEAST ONE OF THE FOLLOWING:

- e. A prior endorsement/certification from the Film Development Council of the Philippines (FDCP), Cinemania, Cinemalaya, Cultural Center of the Philippines (CCP), National Commission for Culture and the Arts (NCAA), or such other analogous institutions that the material has good cultural and artistic value or merit; or
- f. The film has received a major award, or has been showcased in reputable local/international film festivals, or has been rated “A” or “B” by the Cinema Evaluation Board; or
- g. The Director or the film itself has been awarded film grants by a reputable institution.

Upon the effectivity of this Circular, a qualified Independent Film shall be assessed review fee at seventy percent (70%) off the regular rate. In addition, the material shall be given preferential review schedule and shall be accorded publicity support by the Board.

APPROVED by the Movie and Television Review and Classification Board, in a meeting called for the purpose, on **25 August 2011**. This Circular takes effect immediately upon its approval.

Submitted and certified correct by:

(Sgd.) **MILO M. SOGUECO**
Board Member
Chairperson, Committee on Independent Films

Noted by:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

(Sgd.) **EMMANUEL H. BORLAZA**
Vice Chairperson

MEMORANDUM CIRCULAR NO. 06-2011

TO : GREENHILLS THEATER MALL CINEMAS
and MTRCB DEPUTIES

FROM : THE MTRCB CHAIRPERSON

SUBJECT : LIMIT ON THE ADMISSION OF THE NUMBER OF MTRCB
DEPUTIES INSIDE PARTICULAR THEATER

DATE : 31 August 2011

It has been observed that there are situations where too many MTRCB deputies are performing their monitoring duties all at the same time in Greenhills Theater Mall Cinemas in the same film screening time. This convergence of deputies raised protest from the said cinema, asking for some form of restrictions on the number of deputies to be admitted.

Hence, it is hereby ordered that a maximum of only five (5) MTRCB deputies, excluding their respective companions, shall be allowed all at the same time inside Greenhills Theater Mall Cinemas for a given film screening time. Once the maximum number is reached, other MTRCB deputies shall be admitted to the next film screening time, subject to the restriction mentioned above. For purposes of verification, the MTRCB deputy may request to inspect the sign up sheet to confirm number of deputies already admitted.

However, it is hereby clarified that the incumbent members of the Board and the regular Officers and Staff of the MTRCB and their respective companions are not subject to any restriction in the discharge of their mandated duties under Section 13 of P.D. No. 1986.

This memorandum is applicable only to Greenhills Theater Mall Cinemas and shall take effect immediately.

For your proper information and compliance.

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 04-2011

TO : ALL THEATER OWNERS / MANAGERS / CHECKERS /
MTRCB DEPUTIES

FROM : MTRCB CHAIRPERSON

SUBJECT : REITERATION OF POLICY AGAINST NON-ADMISSION
TO THEATERS OF BOARD DEPUTIES

DATE : 23 May 2011

.....

Section 13 of P.D. 1986 vests upon the Board the power to inspect all public exhibitions of any motion picture in any theater. To effectively carry out the aforesaid mandate, the Board is empowered to appoint Board Deputies to assist in overseeing the implementation of laws and rules relating to the public exhibition of motion pictures, television programs, and publicity materials falling within the jurisdiction of the Board.

Lately, the Board notes of rising incidents of Board Deputies prevented from performing their mandated monitoring duties. As such, it is hereby reiterated that the power of the Board to inspect all public exhibitions of any motion picture cannot be subject to any restriction. Save for the limitations imposed by the Board, any form of hindrance or obstruction preventing a Board Deputy from performing his/her monitoring duties is a violation of P.D. 1986 and its Implementing Rules and Regulations. Specifically, it is hereby declared unlawful for any theater to demand an admission fee, regardless of the amount, from a Board Deputy or to compel him/her to purchase any food item as a precondition to admission. Under the Revised Schedule of Administrative Penalties, effective 01 January 1999, non-admission of a Board Deputy is an offense under P.D. 1986 punishable by one (1) month closure for the first offense.

Please be guided accordingly.

BY AUTHORITY OF THE BOARD:

(Sgd.) **MARY GRACE POE LLAMANZARES**
Chairperson

MEMORANDUM CIRCULAR NO. 20-04

To : ALL ENTITIES UNDER THE SUPERVISION AND
REGULATION OF THE BOARD

From : THE MTRCB CHAIRMAN

Subject: NEW SCHEDULE OF FEES

Date : November 18, 2004

Please be informed that pursuant to the powers vested in the Board by Presidential Decree No. 1986, the Board, at its July 15, 2004 Board Meeting, has approved a New Schedule of Fees.

Said Schedule of Fees was published in two newspapers of general circulation as required by law as follows: in the *Today* on October 27, 2004 and in the *Manila Times* on November 12, 2004 and will take effect on November 27, 2004, fifteen days after said publication.

We wish to emphasize, for your guidance, the following salient policies of the said schedule:

- a. Registration Surcharge -- Late registrants will have to be imposed a surcharge equivalent to the registration fees. To avoid surcharges, we urge you to register early or on time.
- b. Airing Without MTRCB Permit -- Please see to it that you have the corresponding MTRCB Permit for Television Exhibition for each and every program or episode that you air, to avoid payment of P1,200.00 surcharge per program or episode that is aired without permit, on top of the corresponding review fees which will be collected.
- c. TV Checking Fee -- For television materials that are subjected to checking, please be advised that a checking fee in the amount equal to the review fees paid on the material shall be collected before checking is undertaken.

A copy of the said schedule is attached for your reference.

Please be guided accordingly.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

REVISED SCHEDULE OF FEES
(Per Memorandum Circular No. 20-04)

	OLD RATES <small>(since May 15, 2000)</small>	NEW RATES
A. REVIEW FEES:		
1. a. Films for Theatrical Exhibition (<i>local / foreign</i>)		
Print	P7,500.00	P8,250.00
Trailer	750.00	825.00
b. Festival Films (<i>Permit to Exhibit valid only for 15 calendar days</i>)		
Print	4,000.00	4,000.00
Short Film (not over 45 minutes)	750.00	750.00
2. For Television Exhibition (local / foreign)		
Thirty minutes (30 min) or less	300.00	350.00
More than thirty minutes to one (1) hour	600.00	700.00
Over one hour to one and a half (1 1/2) hour	900.00	1,050.00
Over one hour and a half to two (2) hours	1,200.00	1,400.00
Every additional half hour	300.00	350.00
B. FEES FOR THE USE OF MTRCB EQUIPMENT:		
1. Reproduction Machine		
per copy, letter size	1.50	2.00
per copy, legal size	2.00	2.50
per copy, reduced/enlarged size	2.50	3.00
2. Dry Seal		
certified copy of permit to exhibit, per copy	2.50	3.00
C. PROCESSING / APPROVAL FEES:		
1. Import/Export Permit (<i>per title/episode/TVC</i>)	300.00	500.00
2. Title Verification/Permit Retrieval	300.00	50.00
3. Still Photos (per piece)	25.00	30.00
4. Layout for newspaper/poster/billboard/tarpauline/banner (<i>per title</i>)	400.00	500.00
D. FEES FOR SPECIAL REVIEWS:		
1. For special review of movie print	10,000.00	10,000.00
2. For special review of movie trailer	1,500.00	1,500.00
3. For special review of television material (<i>per episode / program</i>)	1,200.00	1,200.00
E. ANNUAL REGISTRATION FEES:		
1. Film producers/production outfits/blocktimers/importers/exporters/distributors	3,000.00	3,500.00
2. Film post-production studios/laboratories	3,000.00	3,500.00
3. Theaters: Class A (<i>air-con</i>)	3,000.00	3,500.00
Class B (<i>not air-con</i>)	1,500.00	1,750.00
4. Television Stations: Metro Manila TV Stations	6,000.00	7,000.00
Provincial TV Stations	3,500.00	4,000.00
5. Cable Television	3,500.00	4,000.00
F. SURCHARGE:		
1. Registration Surcharge: (<i>Registration after December 31 for permit for following year</i>)	50%	100%
2. TV Review Surcharge (<i>Review materials submitted less than 10 days before airing date</i>)	1,200.00	1,200.00
3. Airing without MTRCB Permit (<i>per episode / airing</i>)		1,200.00
G. CHECKING FEE:		
1. Movie print	7,500.00	8,250.00
2. Movie trailer	750.00	825.00
3. Television material (<i>The same amount as the review fees collected on the material</i>)		

MEMORANDUM CIRCULAR NO. 21-03

To : ALL TELEVISION NETWORKS/TV BROADCASTERS

From : THE CHAIRPERSON

Subject: SHOWING OF SEX AND VIOLENCE IN NEWS AND CURRENT AFFAIRS PROGRAMS

Date : 20 August 2003

It has been monitored and observed by this Agency that Television News and Current Affairs Programs feature or show sex and violence in their airing of the same. You are sternly warned hereby that your programs must strictly comply with the criteria on “G” and “PG” classifications or ratings, when showing scenes of violence and sex so as not to unduly distress youngsters who may be watching the same, considering that news and current affairs programs are aired in the morning and early in the evening when youngsters are home from school.

For your strict compliance.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

MEMORANDUM CIRCULAR NO. 18-03

To : ALL THEATERS/THEATER OPERATORS/MANAGERS/
PERSONNEL

From : THE CHAIRMAN

Subject: THEATER PRACTICE REGARDING THE MTRCB
DEPUTY ID/MTRCB PASS

Date : 04 August 2003

Reports reaching this Agency say that theater operators/managers/personnel have been requiring DEPUTY CARD HOLDERS, before allowing or admitting them to the exhibition of a movie, to SECURE ENTRY PASS & VISITORS' ID at a venue (for example from cinema 1 to cinema 9) different and quite far from the theater the Deputies would like to enter. This is actually making it difficult for the Deputy Card Holder to enter the theater and in effect HINDERING/OBSTRUCTING him or her from performing his/her duties (monitoring the movie) as MTRCB Deputy.

To hinder or obstruct a Deputy from performing his monitoring duty is a violation of P.D. No. 1986 and the Implementing Rules and Regulations.

Hence, you are hereby directed to refrain from said practice. ENTRY PASSES/VISITORS' ID should be obtained from the particular theater the Deputy wants to enter and should be issued by the theater personnel to whom the MTRCB DEPUTY CARD is presented.

Please be advised that a violation of this circular constitutes an infraction of Section 11 of P.D. No. 1986 so that your strict compliance to the same is hereby enjoined.

Please be guided accordingly.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

MEMORANDUM CIRCULAR NO. 17-03

To : ALL MTRCB DEPUTY CARD HOLDERS
THEATER OPERATORS/OWNERS/PERSONNEL

From : THE CHAIRMAN

Subject: USE OF MTRCB DEPUTY CARD

Date : 26 July 2003

Please be advised that as of the date above-stated, the MTRCB Deputy Card Holder's privilege of bringing a different companion in another theater after leaving one companion in a theater he (Deputy Card Holder) previously entered has been recalled; in other words, the MTRCB Deputy Card Holder shall no longer be allowed to bring another companion into a second or third theater after leaving a companion in a first theater.

However, all theaters are required to admit the Holder of the MTRCB Deputy Card and a companion to any and all exhibitions of motion pictures except in film premiere screening. For monitoring purposes, theaters are encouraged to list down the name and card number of the MTRCB Deputy. Theaters are likewise urged to report to the MTRCB any abuses committed by the Deputies and in such cases, the same are authorized to retain and confiscate the cards of MTRCB Deputies. After confiscating the cards, the theaters must immediately transmit the same to this Office.

This supersedes Memorandum Circular No. 98-15.

Please be guided accordingly.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

MEMORANDUM CIRCULAR NO. 13-03

To : ALL TV STATION MANAGERS/BLOCKTIMERS/
REPRESENTATIVES

From : THE MTRCB CHAIRMAN

Subject: CANCELLATION OF EXEMPTION FROM REVIEW OF
RELIGIOUS PROGRAMS

Date : June 2, 2003

Please be informed that the Board, in its May 27, 2003 Board Meeting, has decided to cancel the exemption from review granted to religious programs.

Effective immediately, religious programs shall have to be submitted for MTRCB review and approval and subject to payment of appropriate fees, prior to telecast.

This cancels Memorandum Circular No. 00-09 dated August 09, 2000.

For your information and guidance.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

MEMORANDUM CIRCULAR NO. 08-03

To : ALL MOVIE PRODUCERS/DISTRIBUTORS/TV STATION
MANAGERS/BLOCKTIMERS REPRESENTATIVES

From : THE MTRCB CHAIRMAN

Subject: PROMOTIONAL MATERIALS OF MOVIES AND
TELEVISION PROGRAMS

Date : April 30, 2003

Please be informed that in accordance with our mandate, as provided in Section 3 (b) of Presidential Decree No. 1986, promotional materials of movies and television programs, in any form, shall have to be submitted to the MTRCB for review and approval prior to exhibition in theaters or television, display in theater lobbies or for general viewing and publication in print media.

Exhibition, display, and publication of promotional materials of movies and television programs without MTRCB approval is a violation that would merit sanctions as provided in our Revised Schedule of Administrative Penalties.

This Memorandum Circular shall take effect immediately.

For your guidance and immediate compliance.

(Sgd.) **MA. CONSOLIZA P. LAGUARDIA**
Chairman

MEMORANDUM CIRCULAR NO. 01-24

TO : ALL THEATER OWNERS/OPERATORS/MANAGERS AND
MOVIE PRODUCERS/DISTRIBUTORS

FROM : THE MTRCB CHAIRMAN

SUBJECT : COMPANION OF AN MTRCB CARDHOLDER/DEPUTY

DATE : OCTOBER 8, 2011

We wish to inform you that the Board has cancelled the age requirement of a companion of an MTRCB Cardholder/Deputy to be admitted into theaters. Effective immediately, an MTRCB Cardholder/Deputy can now bring anybody along below 18 years of age as companion into theaters, provided the companion meets the MTRCB rating or age classification of the motion picture to be monitored.

Refusal to admit an MTRCB Cardholder/Deputy and a companion constitutes a violation to our rules which may result in theater closure.

This cancels Memorandum Circular No. 99-07 issued by former Chairman Armida P.E. Siguion-Reyna on 30 August 1999.

For your compliance.

(Sgd.) **ALEJANDRO R. ROCES**
Chairman

MEMORANDUM CIRCULAR NO. 99-09

To : ALL MOVIE PRODUCERS/DISTRIBUTORS
ALL TELEVISION MANAGERS/PRODUCERS/ BLOCKTIMERS/
FILM AND TV REPRESENTATIVES/PRODUCTION STAFF/
MTRCB BOARD MEMBERS AND STAFF

From : THE CHAIRMAN

Subject: CONDUCT OF FILM/TV REPRESENTATIVES IN MTRCB
PREMISES

Date : 6 September 1999

It has come to our attention that some Film/TV Representatives still approach MTRCB Officers and members seeking to facilitate or expedite the review and release of materials they have submitted to the Board for review and approval. Some of these incidents have resulted in undue pressure upon the Board and Staff Members and have also opened the possibility of irregularities in the conduct of the Board's work.

In this regard, the following policies and procedures with respect to the conduct of the Film/TV representatives while in the MTRCB premises in the course of their work shall be observed and implemented, effective immediately:

1. All transactions concerning the submission of relevant materials for the Board's inspection and review shall be coursed through the MTRCB Registration Office only. This includes follow-ups that may be needed to check whether the Board has approved the submitted materials or not.
2. The 3rd Floor and 4th Floor Preview Areas shall be off-limits to non-Board personnel, except in cases where the Representatives of a material being reviewed may be asked or allowed to be present to answer questions or provide information to the Board or the Committee undertaking the review.
3. Outside of the review session, Film and TV Representatives shall not be allowed to approach any Board Member regarding materials scheduled for inspection or review. Should there be any need for the Representatives to speak to any other MTRCB officer or staff member, they shall make the necessary appointments to do so.
4. Film and TV representatives, and all other personnel of any entity registered with the Board, are prohibited from making any offers of money, gift, food, or similar items to any MTRCB Member, officer or staff member. MTRCB Members, officers and staff members are likewise prohibited from asking for any payments, gifts, or other offers other than what is provided for under the Board's regulations and procedures. All payments in relation to the Board's work of inspection and review must be made to the MTRCB cashier and properly receipted.

Failure to comply with the above may result in the suspension or cancellation of the film or TV program's permit and other administrative and criminal sanctions.

The MTRCB Registration and Operations Division, as well as the Building Security, are tasked with ensuring compliance with the above policies and procedures.

For your information and strict compliance.

(Sgd.) **ARMIDA P.E. SIGUION REYNA**
Chairman

MEMORANDUM CIRCULAR NO. 99-06

For : ALL MOTION PICTURE PRODUCERS/DISTRIBUTORS
ALL NEWSPAPER PUBLISHERS/EDITORS

From : THE CHAIRMAN

Subject : REVISED PROCEDURE FOR APPROVAL OF PRINT AND
SIGN ADVERTISEMENTS, CATCHLINES/HEADERS/
FOOTERS/TEASERS AND ADVERTORIALS FOR
NEWSPAPER PUBLICATION

Date : 30 July 1999

In order to streamline the process for the submission and approval of publicity materials for motion pictures intended for print publication, the Board has revised the procedures for the same, as follows.

Effective 16 August 1999 advertising lay-outs intended for print publications must be submitted together with the proposed catchlines/headers/footers/teasers already integrated into the artwork of the lay-out copy.

The Board will charge a fee for each submission which shall consist of not more than three (3) versions of the lay-outs with the corresponding copy for the catchlines/headers/footers/teasers. Further submission beyond these will be charged separately and the producers billed accordingly.

In this connection, catchlines/headers/footers/teasers that only announce the opening date or the status of the showing of the film (e.g. *“Opens Today”*, *“Grand Opening Today”*, *“Opens Tomorrow”*, *“Opens Next Week”*, *“Coming Soon”*, *“2nd/3rd/4th Day”* etc.) no longer need to be submitted to the Board. However, those that present a claim or are based on facts, or contain another copy that are intended to interest viewers (e.g. *“2nd/3rd/4th Box-Office Hit Day”*, *“Academy/Festival Award Winning Film”*, *“Panoorin: Pantasya ng Bayan”*, etc.) are required to be cleared with the Board prior to their publication.

Pursuant to Presidential Decree No. 1986 and the 1998 MTRCB Implementing Rules and Regulations, particularly Section 11 thereof, all print sign advertisements related to motion pictures must be submitted to the Board prior to publication and must fall within the standards of a GENERAL AUDIENCE “G” classification. As stated in Memorandum Circular No. 99-03 (11 May 1999) issued by the Board, failure to comply with these requirements will result in sanctions, including but not limited to suspension or cancellation of the Permit to Exhibit of the corresponding motion picture.

For your information and compliance.

(Sgd.) **ARMIDA P.E. SIGUION-REYNA**
Chairman

MEMORANDUM CIRCULAR NO. 99-05

For : ALL THEATERS OWNERS/OPERATORS/MANAGERS
ALL MOTION PICTURE PRODUCERS/DISTRIBUTORS

From : THE CHAIRMAN

Subject : DISPLAY OF CERTIFIED COPIES OF PERMIT TO EXHIBIT

Date : 30 July 1999

Further to Memorandum Circular No. 99-02 dated 08 February 1999 issued by this Board, we wish to remind all theater owners/managers and film producers/distributors that Certified Photo Copies of the film's permit to Exhibit are required to be displayed at the theater's ticket booth.

Following are the pertinent provisions of Presidential Decree No. 1986 and the Implementing Rules and Regulations:

“SECTION 8 – Posting or Display of Certificate or Label – The motion picture exhibitors shall post and/or display the certificate or label of approval of the motion picture by the BOARD, and shall post or display, or cause to be posted or displayed the said certificate or label at conspicuous places near the entrances to theaters or places of exhibition, and shall include in all their cinema advertisements announcements stating the classification...” (Presidential Decree No. 1986)

“Section 12 – CONSPICUOUS DISPLAY OF CLASSIFICATION – a copy of the Exhibition Permit shall be prominently posted at the ticket booth of all theaters where the motion picture is exhibited.” (1998 MTRCB Implementing Rules and Regulations)

Certified True Copies of the Permit to Exhibit are signed by the Executive Director Dennis N. Marasigan or Registration Officer Vicmar A. Turtal.

As provided for in the MTRCB Revised Tables of Penalties contained in Memorandum Circular No. 98-17, violation of these provisions will result in the following penalties:

Non-posting of permit to exhibit:

First offense	-	One (1) month closure
Second offense	-	Six (6) months closure
Third offense	-	Revocation of registration and one (1) year closure

For your attention and compliance.

(Sgd.) **ARMIDA P.E. SIGUION-REYNA**
Chairman

MEMORANDUM CIRCULAR NO. 99-03

For : ALL MOTION PICTURE PRODUCERS/DISTRIBUTORS
ALL NEWSPAPER PUBLISHERS/EDITORS

From : THE CHAIRMAN

Subject: APPROVAL OF PRINT AND SIGN ADVERTISEMENTS,
CATCHLINES, HEADERS/FOOTERS/TEASERS AND
ADVERTORIALS FOR NEWSPAPER PUBLICATION

Date : 11 May 1999

Over the last few months, the Board has been receiving complaints about print and sign advertisements in newspapers that have been offensive and/or contained false claims and erroneous information.

Pursuant to Presidential Decree No. 1986 and the 1998 MTRCB Implementing Rules and Regulations, particularly Section 11 thereof, all print sign advertisements related to motion pictures must be submitted to the Board prior to publication and must fall within the standards of a GENERAL AUDIENCE "G" classification.

We have called the attention of motion picture producers and distributors regarding these, and have ordered the suspension of their Permits to Exhibit for their failure to comply with these requirements. Nonetheless, we continue to observe violations still being committed.

In view of these, the Board hereby reiterates that all print and sign advertisements related to motion pictures, advertising copy including catchlines, headers/footers/teasers and advertorials must be submitted to the Board for approval prior to publication in newspapers and other publications. Failure to do so will result in sanctions, including but not limited to suspension or cancellation of the Permit to Exhibit of the corresponding motion picture.

Memorandum Circular No. 96-10 is hereby deemed to be suspended accordingly.

For your information and compliance.

(Sgd.) **ARMINDA P.E. SIGUION-REYNA**
Chairman

MEMORANDUM CIRCULAR NO. 99-02

For : ALL THEATERS OWNERS/OPERATORS/MANAGERS
ALL MOTION PICTURE PRODUCERS/DISTRIBUTORS

From : THE CHAIRMAN

Subject : DISPLAY OF STANDEES AND PERMIT TO EXHIBIT

Date : 8 February 1999

The Board has been receiving reports of non compliance by theaters on the regulations for the display of the Permit to Exhibit and the classification of the film being exhibited.

Please be reminded of the following pertinent provisions of Presidential Decree No. 1986 and the Implementing Rules and Regulations:

“SECTION 8 – Posting or Display of Certificate or Label – The motion picture exhibitors shall post and/or display the certificate or label of approval of the motion picture by the BOARD, and shall post or display, or cause to be posted or displayed the said certificate or label at conspicuous places near the entrances to theaters or places of exhibition, and shall include in all their cinema advertisements announcements stating the classification...” (Presidential Decree No. 1986)

“Section 12 – CONSPICUOUS DISPLAY OF CLASSIFICATION – a copy of the Exhibition Permit shall be prominently posted at the ticket booth of all theaters where the motion picture is exhibited. In addition, the BOARD’s classification of the motion picture shall be prominently displayed on a three (3) feet high ‘standee’ in the theater lobby.” (1998 MTRCB Implementing Rules and Regulations)

Consistent with previous issuances of this BOARD, theaters are required to display Certified True Copies of the Permit to Exhibit signed by the Executive Director or Registration Officer.

As provided for in the MTRCB Revised Tables of Penalties contained in Memorandum Circular No. 98-17, violation of these provisions will result in the following penalties:

Non-posting of permit to exhibit:

First offense	-	One (1) month closure
Second offense-	Six (6) months closure	
Third offense	-	Revocation of registration and one (1) year closure

Non-display of standee in theater's lobby or entrance:

- First offense - Ten (10) days closure
- Second offense- Thirty (30) days closure
- Third offense - Ninety (90) days closure

For your reference and compliance.

(Sgd.) **ARMINDA P.E. SIGUION-REYNA**
Chairman

MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD

Revised Schedule of Administrative Penalties Effective 01 January 1999

OFFENSES	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE
1. Operating without valid Certificate of Registration or exhibiting valid Permit to Exhibit of Registration or exhibiting valid Permit to Exhibit.	For THEATER/TV STATION/ PRODUCTION OUTFIT: One (1) month closure.	For THEATER/TV STATION/PRODUCTION OUTFIT: Six (6) months closure	For THEATER/TV STATION/PRODUCTION OUTFIT: Revocation of Certificate of Registration and One (1) year closure.
	For OWNER OF PRINT/PROGRAM PRODUCER: Six (6) months suspension of PTE/prohibition from applying for PTE and confiscation of film print or material.	For OWNER OF PRINT/PROGRAM PRODUCER: One (1) year suspension of PTE/prohibition from applying for PTE and confiscation of film print or material.	For OWNER OF PRINT/PROGRAM PRODUCER: Permanent prohibition from applying for PTE and confiscation of film print or material.
2. Illegal insertions in the film print or tampering with the film print.	For OWNER OF PRINT/PROGRAM PRODUCER: Six (6) months suspension of PTE/ prohibition from applying for PTE and confiscation of film print or material.	For OWNER OF PRINT/PROGRAM PRODUCER: One (1) year suspension of PTE/prohibition from applying for PTE and confiscation of film print or material.	For OWNER OF PRINT/PROGRAM PRODUCER: Permanent prohibition from applying for PTE and confiscation of film print or material.
	For THEATER: One (1) month closure	For THEATER: Six (6) months closure	For THEATER: Revocation of Certificate of Registration and One (1) year closure.
3. Tampering with or altering Permit to Exhibit or using tampered or altered Permit to Exhibit.	For OWNER OF PRINT: Six (6) months suspension/ prohibition from applying for PTE and confiscation of film print or TV material.	For OWNER OF PRINT: One (1) year suspension/ prohibition from applying for PTE and confiscation of film print or TV material.	For OWNER OF PRINT: Permanent prohibition from applying for PTE and confiscation of film print of TV material.
	For THEATER: One (1) month closure	For THEATER: Six (6) month closure	For THEATER: Revocation of Certificate of Registration and One (1) year closure
4. Admission of minors to films classified as "R-18" or admission of children below thirteen (13) without accompanying parent or adult to films classified as "PG-13".	For THEATHER: One (1) month closure	For THEATER: Six (6) months closure	For THEATER: Revocation of Certificate of Registration and One (1) year closure.

5.	Exhibition/Display of unapproved/disapproved still photos, billboards, leaflets, posters, lay-outs, photo frames.	For OWNER OF PRINT/PROGRAM PRODUCER: Six (6) months suspension of PTE/prohibition from applying for PTE and confiscation of film print or publicity material. For THEATER: One (1) month closure	For OWNER OF PRINT/PROGRAM PRODUCER: One (1) year suspension of PTE/prohibition from applying for PTE and confiscation of film print or publicity material. For THEATER: Six (6) months closure	For OWNER OF PRINT/PROGRAM PRODUCER: Permanent prohibition from applying for PTE and confiscation of film print or publicity material. For THEATER: Revocation of Certificate of Registration and One (1) year closure.
6.	Non display of Parental Guidance rating in television programs as classified.	For PROGRAM PRODUCER: Six (6) months suspension of PTE/prohibition from applying for PTE and confiscation of film print or TV material.	For PROGRAM PRODUCER: One (1) year suspension of PTE/prohibition from applying for PTE and confiscation of film print or TV material.	For PROGRAM PRODUCER: Permanent prohibition from applying for PTE and confiscation of film print or TV material.
7.	Non printing of classification/publication of incorrect classification in newspaper advertising materials.	For OWNER OF PRINT: Six (6) months suspension/ prohibition from applying for PTE.	For OWNER OF PRINT: One (1) year suspension/ prohibition from applying for PTE.	For OWNER OF PRINT: Permanent prohibition from applying for PTE.
8.	Non posting of Permit to Exhibit (PTE).	For THEATER: One (1) month closure	For THEATER: Six (6) months closure	For THEATER: Revocation of Certificate of Registration and One (1) year closure.
9.	Refusal to admit duly deputized MTRCB representative to the theater.	For THEATER: One (1) month closure	For THEATER: Six (6) months closure	For THEATER: Revocation of Certificate of Registration and One (1) year closure.
10.	Non posting of Standee in the theater's lobby or entrance.	For THEATER: Ten (10) days closure.	For THEATER: One (1) month closure.	For THEATER: Ninety (90) days closure.
11.	Export/Import of motion picture or television program with no valid.	Prohibition from exportation or importation for six (6) months.	Prohibition from exportation or importation for one (1) year.	Permanent prohibition from exportation or importation.

MTRCB RULES OF PROCEDURE

In the Conduct of Hearings for Violations of Presidential Decree No. 1986 and its Implementing Rules and Regulations

Pursuant to Section 3 (a) and 3 (j) of Presidential Decree No. 1986 and Sections 39 and 40 of the 1998 Implementing Rules and Regulations, the following Rules governing the conduct of hearings for violations of said Decree and Implementing Rules and Regulations before the Movie and Television Review and Classification Board, are hereby adopted and promulgated.

Rule I

TITLE

SECTION 1. Title – These rules shall be known as the Rules of Procedure of the Board.

Rule II

COVERAGE

SECTION 1. Coverage – These rules shall govern the hearings on any administrative complaint filed with the Board for violation P.D. No. 1986 and its Implementing Rules and Regulations.

Rule III

CONSTRUCTION AND IMPLEMENTATION

SECTION 1. Construction – These rules shall be liberally construed in order to effectively attain the objectives and purposes of P.D. No. 1986 and its Implementing Rules and Regulations.

SECTION 2. Implementation – In implementing these rules, the Board shall observe proper flexibility and avoid undue technicality with the end in view of bringing forth the truth and meeting out justice as fairly and expeditiously as possible.

Rule IV

DEFINITION OF TERMS

SECTION 1. Terms Defined – For purposes of these rules, the following shall mean:

1. Board – The Movie and Television Review and Classification Board, or the Chairman of Board, or the Hearing and Adjudication Committee, acting for and in behalf of the Board.
2. Chairman – the Chairman of the Board, or in the Chairman's absence or incapacity, the Vice-Chairman, or in the Vice-Chairman's absence or incapacity, any Member of the Board designated to act for and in behalf of the Chairman.
3. Committee – The Hearing and Adjudication Committee as designated by the Chairman.

4. Complaint – A concise statement of the facts constituting the proponent’s cause or causes of action, specifying the party or parties charged and the violations allegedly committed, and stating the name and residence of the complainant.
5. Answer – The pleading in which the defendant or other adverse party or parties sets forth the affirmative and negative defenses upon which he relies.
6. Submission – The filing of pleadings, appearances, motions, notices, orders, or other papers with the Board as required, when such filing has been duly received by the Board’s Legal Officer and the corresponding fees, if any, duly paid to and acknowledged by the Board.

Rule V

PARTIES

SECTION 1. Parties – Any person, natural or juridical, who has cause to complain about any violation of P.D. No. 1986 and its Implementing Rules and Regulations, may file a complaint with the Board against the person or establishment charged with such violation. The former shall be called the complainant, and the latter the respondent.

SECTION 2. Appearances – In all proceedings of the Board, it is preferred that the parties may be represented by respective counsel; provided, however, that a party may appear before the Board without the assistance of counsel if he so desires; and provided, further, that any confession or admission of guilt of a party made without the presence and assistance of counsel may not be used against such party in a criminal action, unless he has expressly waived, under oath, his right to counsel.

Rule VI

COMMENCEMENT OF PROCEEDINGS

SECTION 1. When Proceedings Deemed Commenced – Proceedings before the Board are commenced upon the filing of complaint.

SECTION 2. Pleadings – The complaint shall be in writing, verified, and signed by the complainant, and may be accompanied by supporting affidavit/s. No other pleading from the complainant subsequent thereto shall be accepted by the Board without proof of answer from the respondent, also in writing, and may also be accompanied by supporting affidavits, with a copy furnished to the complainant.

SECTION 3. Pleadings Allowed – The Board shall only entertain a complaint and an answer and such other pleadings as the Board may require. Motion to dismiss, motion for bill of particulars or to make certain, motion for new trial or for reopening of trial, petition for relief from judgment, and dilatory motions for postponement shall not be allowed.

Rule VII

SUMMARY PROCEDURE

SECTION 1. Dismissal – The Board shall, *motu proprio* or at its own instance, dismiss the complaint if the same is patently without merit.

SECTION 2. Summons – If the complaint is *prima facie* meritorious, the Board shall, cause the issuance of summons, accompanied by a copy of the complainant's affidavit and supporting affidavit/s, to the respondent, directing the latter to submit counter-affidavit, and supporting affidavit/s, if any, within seven (7) days from receipt of such summons and to affirm the same before the Board. No counter-affidavit shall be accepted for filing with the Board without proof of service thereof to the complainant or his counsel.

SECTION 3. Initial Hearing – Any administrative complaint for violation of Presidential Decree No. 1986 or its Implementing Rules and Regulation shall initially be heard by the Chairman. Should the Chairman find upon consideration of the affidavits and other evidences submitted by the parties that a decision may be rendered thereon without need of a formal hearing, the Chairman shall proceed to render a decision.

SECTION 4. Hearing and Adjudication Committee – In case the respondent or alleged offender does not admit guilt, the Chairman shall refer the case to a Hearing and Adjudication Committee. Should the Hearing and Adjudication Committee find upon consideration of the affidavits and other evidences submitted by the parties that a decision may be rendered thereon without need of a formal hearing, the Committee may proceed to render a decision. In cases where the committee deems it necessary to clarify specific factual matters before a decision may be rendered, the case shall be set for hearing in accordance with Rule VIII.

SECTION 5. Failure to Submit Counter-affidavit – If the respondent fails to file his counter-affidavit and to appear as required, without valid reason, the Board, upon motion of the complainant or *motu proprio*, shall consider the case submitted for resolution and/or decision.

SECTION 6. Conciliation or Compromise Agreement – At the initial hearing of the case, or even thereafter, the parties may enter in reconciliation or compromise settlement of violations administrative in character, subject to the approval of the Board.

SECTION 7. Failure to Appear and Affirm Affidavit – Should the person who executed the affidavit fail to appear and affirm his affidavit when required by the Board, his affidavit shall not be considered as competent evidence.

Rule VIII

HEARINGS

SECTION 1. Who May Conduct Hearings – Hearings of the Board may be conducted by the Chairman, or, if the respondent or alleged offender does not admit guilt, by a Hearing and Adjudication Committee composed of at least three (3) Board Members designated by the Chairman, at least one of whom shall be a member of the Philippine Bar. Any hearing

conducted by the Chairman or the Committee shall be deemed as a hearing before the Board.

SECTION 2. Place of Hearing – Hearings shall be held at the main office of the Board, but hearings may also be held at such other place as the Board may designate in the exercise of sound discretion.

SECTION 3. Witnesses May be Subjected to Cross-examination – the affidavits and counter-affidavits shall constitute the direct testimonies of the parties and witnesses who executed the same. The affiants/witnesses who testify may ask clarificatory questions by the proponent and by the Board. Every party shall have the right to cross-examine witnesses presented against him and to submit rebuttal evidence.

SECTION 4. Rules of Procedure Not Strictly Applicable – Rules of Court and/or the Administrative Code shall not be strictly applied in the hearings before or by authority of the Board; provided, however, that the Board may refer to such technical rules of procedure for guidance whenever necessary for orderly and expeditious administration of justice.

SECTION 5. Rules of Evidence – Other than the affidavits submitted by the parties, the Board may admit and give probative value to evidence commonly accepted by reasonably prudent man in the conduct of their affairs.

Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the parties may be given opportunity to compare the copy with the original. If the original is in the official custody of a public officer, a certified copy thereof may be accepted.

The Board may take notice of judicially cognizable facts of generally cognizable technical or scientific facts within its specialized knowledge. The parties shall be notified and afforded an opportunity to contest the fact so noticed.

SECTION 6. Subpoena – The Board may require the attendance of witnesses or the production of books, papers, documents and other pertinent data, upon request of any party before or during the hearing upon showing of general relevance.

SECTION 7. Preventive Seizure, Suspension, or Closure – In the interest of the public and on finding of probable cause, the Chairman may order, pending hearing and final disposition of the case, the preventive seizure of offending motion pictures and related publicity materials, and/or suspension of the permit or permits involved, and/or closure of the erring moviehouse, television network, cable TV station, or establishment. The Chairman may also order the temporary dismantling or tearing down of public signs and billboards that are in violation of P.D. No. 1986 and its Implementing Rules and Regulations. Temporary orders thus issued shall not exceed more than twenty (20) days from the date of issuance.

Rule IX

DECISION

SECTION 1. Decision – The Decision of the Chairman, or of the Hearing and Adjudication Committee, shall be deemed as rendered by the Board. The decision shall be in writing and shall state clearly and distinctly the facts of the case and the basis for the decision. Each case shall be decided within thirty (30) days following the last submission required by the Board. The parties shall be notified of the decision personally or by registered mail addressed to their counsel of record, if any, or to their last known address.

SECTION 2. Dissent – Any member of the Hearing and Adjudication Committee may submit a dissenting opinion stating the reasons thereof, which shall be attached to the majority decision.

SECTION 3. Motion for Reconsideration – The party adversely affected may file one motion for reconsideration of the decision within fifteen (15) days after receipt of the decision on the ground that the evidence is not sufficient to justify the decision, and/or that the decision contrary to the evidence of the law. The filing of a motion for reconsideration shall not stay immediate execution of the decision but shall only suspend the running of the period for appeal. The remainder of such period shall begin to run from the date of receipt by the movant of the denial of the motion for reconsideration. Only one motion for reconsideration shall be allowed for any party.

Rule X

APPEAL

SECTION 1. Period of Appeal- A party adversely affected by the decision of the Board may appeal to the Office of the President within fifteen (15) days from official receipt of said decision, deducting the time during which a motion for reconsideration, if any, is pending.

SECTION 2. How Taken – The appeal shall be in writing, filed directly with the Office of the President, and shall specifically set forth assignment of error/s with reasons, authorities, and precedents relied upon for reversal or modification of the appealed decision. Copies thereof shall be served upon the prevailing party and the Board.

SECTION 3. Effect of Appeal – The appeal shall not stay the decision appealed from unless otherwise provided by law and these rules, or directed by the Office of the President.

Rule XI

EXECUTION

SECTION 1. Execution upon Decision – Execution shall issue after the decision of the Board has been served to the last known address of the losing party; provided, however, that execution pending appeal may be stayed upon filing of bond by the losing party in such reasonable amount as may be fixed by the Board and upon issuance of a *status quo* order by the Office of the President.

Rule XII

FEES

SECTION 1. Docketing and other Fees – The Board shall not require any docketing fee for the filing of a complaint. However, the Board may reasonably require payment of fees for expenses related to the conduct of hearings of the case, such as but not limited to the following: photocopying expenses, recording and transcription of minutes, and the like period.

Rule XIII

OTHER PROVISIONS

SECTION 1. Supplementary Rules – The Board may from time to time issue such supplementary rules as it may deem fit and necessary.

SECTION 2. Amendment and Repeal – These rules may also be amended or repealed by the Board during a regular meeting, or a special meeting called for the purpose.

SECTION 3. Effectivity – These rules or any subsequent amendment or repeal thereof, shall take effect after submission of a copy thereof in the U.P. Law Center and fifteen (15) days after publication in a newspaper of general circulation.

Approved by the Movie and Television Review and Classification Board in its Regular meeting on 11 May 1999, Quezon City, Philippines.

(Sgd.) ARMIDA P.E. SIGUION-REYNA
Chairman

Attested:

(Sgd.) DENNIS N. MARASIGAN
Executive Director

**IMPLEMENTING RULES AND REGULATIONS
ON THE STANDARDS FOR REVIEW AND CLASSIFICATION
OF OPTICAL MEDIA MATERIALS FOR PRIVATE VIEWING**

WHEREAS, Section 27 of R.A. no. 9239 has transferred to the Movie and Television Review and Classification Board (MTRCB) the review and classification functions of the Optical Media Board (OMB);

NOW, THEREFORE, pursuant to Section 3 (a) of Presidential Decree No. 1986, the Board hereby approves and promulgates the following implementing rules and regulations on the standards for review and classification of optical media materials for private viewing.

Title

SECTION 1. ***Title*** – These rules and regulations shall be referred to as the Review and Classification Rules and Regulations of Optical Media Materials for Private Viewing.

**Rule 1
Definitions of Terms**

SECTION 1. ***Definition of Terms*** – As used in these Rules and Regulations, the herein terms shall be defined as follows:

- a) **Board** – The Movie and Television Review and Classification Board (MTRCB) created under Presidential Decree No. 1986.
- b) **Optical Media Material/s** – Video cassette tape, film, motion picture, disc, or any other technical variation thereof, containing recorded visual images of any cinematographic art or work, performance, or event that can be projected on television screens and other projection equipment. The definition does not include similar software and equipment used for games and amusement purposes which may require the active participation of the users.
- c) **Commercial Permit** – The authority issued by the Optical Media Board for the commercial reproduction, replication, distribution, selling, or renting of optical media material.
- d) **Promotional Material** – Any material used to generate public interest in or further the growth or development of the optical media material.
- e) **Cinematographic Art or Work** – Artistic creations that employ a series of pictures projected on a screen in rapid succession, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move.
- f) **Rights** – The consent, approval, or the authority given by the producer, importer, licensee, or lessee of cinematographic art or work for the commercial exploitation of such art or work in optical media material.

- g) **Disposition** – The manner or method of exploitation of optical media material for commercial or promotional purposes, such as distributing, producing, reproducing, marketing, selling, or leasing of said material.
- h) **Production** – The act or business of filming, capturing or imprinting on an optical media material any cinematographic art or work, performance, or event.
- i) **Reproduction** – The act or business of transferring, replicating, copying, duplicating, taking, or dubbing into an optical media material, cinematographic art or work, performance or event.
- j) **Distribution** – The act or business of commercial exploitation any disposition of any cinematographic art or work, performance, or event in optical media material, within a specific territory, of acquired optical media material rights whether from local or foreign owners. Distribution includes the act of importation or exportation of optical media material.
- k) **Dealership** – The particular act or business of selling or leasing of optical media material in commercial quantities to retailers or retail outlets. Dealership includes the activity of servicing the reproduction or replicating of optical media for distribution.
- l) **Private Viewing/Exhibition** – The act of viewing or exhibiting an optical media material in a private place without monetary or promotional consideration and where less than fifteen (15) persons are present during the viewing/ exhibition.
- m) **Public Exhibition** – The act or business of showing of cinematographic work, performances or event in optical media material in public places such as theaters, movie houses, restaurants, hotels, motels, barns, halls, lounges, plazas, disco houses, beerhouses, pubs, airlines, ships, and other similar places that are open to the general public and private places where the showing is for monetary or promotional consideration, or where fifteen (15) or more persons are present during the exhibition.
- n) **Certificate of Registration** – The authority given to an entity to transact business with the Board subject to the provisions of Presidential Decree No. 1986, in relation to the review and classification of optical media material.
- o) **Review** – The process whereby the Board examines the content of optical media material to determine whether, based on the standards set by law, is fit for reproduction, distribution, sale or rent intended for private viewing.
- p) **Classification** – The act or process of reviewing an optical media material and assigning either “G” general viewing; “PG” parental guidance; “R” Restricted for Adults; “X” Disapproved.
- q) **Classification Certificate** – Certificate issued by the Board classifying that the subject optical media material has been reviewed, classified, and issued a corresponding rating.
- r) **Optical Media Material Label** – Printed hallmark, insignia or design of the producer or manufacturer defining and identifying the subject optical media material.

- s) **Credits** – The opening and closing segments of the material enumerating and identifying the persons who portrayed the character therein, the producers, director, and other pertinent data.

Rule 2 Objectives of the Board

SECTION 1. ***Objectives of the Board*** – The Board recognizes the various rules of the “optical media industry” in society as entertainment, educational and informative. Thus, in the regulation thereof thru content classification, the Board shall promote, develop, and maintain the same as a viable industry by protecting it from the inroads of obscenity, unjustified violence, and other objectionable content that corrode the moral and social values of the community.

Rule 3 Registration with the board

SECTION 1. ***Annual Registration of Entities*** – All entities engaged in the business of production, reproduction, importation, distribution, and/or dealership of optical media material intended for private viewing thus requiring a classification certificate shall annually register with the Board.

SECTION 2. ***Separate Registration*** – An entity engaged in more than one of the business cited in the preceding section and has a separate and distinct transactions with the board subject herein shall register each line of business.

SECTION 3. ***Application and Certificate of Registration*** – Entities required to register with the Board shall accomplish under oath the prescribed form, submit the documentary requirements and pay the corresponding annual registration fee. The Certificate of Registration shall be issued by the Board accordingly.

SECTION 4. ***Annual Registration Fee, Surcharge, and Penalty*** – The annual registration fee and other related fees shall be prescribed by the Board. A surcharge and/or penalty shall be imposed on late registration.

Rule 4 Optical Media Material Subject to Review and Classification

SECTION 1. ***Material Subject to Review*** – All optical media material, such as but not limited to, motion pictures, films, video tapes, music videos, compact discs and other audio-visual works intended for private viewing shall be subject to review and classification by the Board before they are commercially reproduced, replicated, distributed, sold or leased.

SECTION 2. ***Application for Review and Classification*** – All duly registered entities engaged in the business stated herein applying for the review and classification of an optical media material shall accomplish under oath the prescribed application form and submit documents as may be required by the Board.

SECTION 3. ***Certificate of Classification, Fees*** – The optical media material shall be accepted for review and classification upon submission of a duly accomplished application for review and classification and payment of the corresponding fees.

Rule 5
Standards for Review and Classification

SECTION 1. ***Guiding Principles*** – The Board shall judge the content of the optical media material not on its theme but its treatment of a theme; not on its plot, but on the thesis the plot espouses; not on its parts or portion, but in its entirety and as a whole.

SECTION 2. ***Standards for Review – The Board shall judge the content of a material submitted for review, applying as*** basic standard contemporary Filipino cultural values, disallowing that which is objectionable for being immoral, indecent, libelous, contrary to law or good customs, injurious to the prestige of the Republic of the Philippines and its people, such as but not limited to, those materials which:

- a) which glorify criminals or condone crimes;
- b) are libelous or defamatory to the good name and reputation of any person, whether living or dead;
- c) tend to abet the traffic in and use of prohibited drugs;
- d) clearly constitute an attack against any race, creed, or religion as distinguished from individual members thereof; and
- e) serve no other purpose but to satisfy the market for violence or pornography.

SECTION 3. ***Test of Pornography*** – Pornography, as herein applied, is synonymous with obscenity, the test of which is whether the material tends to weaken the moral fiber of the community or tends to influence the viewer to anti-social or socially counterproductive behavior, and when the same is utterly bereft of redeeming social value, such as but not limited to, the unnecessary depiction of:

- a) sex without consent;
- b) sex with or among children under the age of twelve (12) years;
- c) sex with animals or zooerastia;
- d) satyriasis or nymphomania;
- e) anal intercourse, bandage, sadomasochism, and similar acts;
- f) sexual orgies, like group sex or unabated sex;
- g) sexual licentiousness, libertinism or hedonism; or
- h) even normal copulation.

SECTION 4. ***Test of Excessive Violence*** – The test of excessive violence is whether the material tends to lead the community into violent anti-social counterproductive behavior, or whether it is utterly bereft of redeeming social value, such as but not limited to, the unnecessary depiction of:

- a) violent individual or group oppression, or repression of the physically and socially weak;
- b) brutality;
- c) carnage, genocide, and similar acts;
- d) sadomasochism;
- e) violence in sex; and
- f) gory and visceral results or aftermath of violence.

Rule 6 Classification and Ratings

SECTION 1. **Classification** – Classification calls upon the assumption of responsibility by parents. The Board renders the classification as an advisory to the parents on the content of an optical media material. Apprised of said information, parents are urged to exercise due diligence to ensure that children are not exposed to objectionable content as defined in these rules.

Classification shall be used on the treatment of theme, violence, language, nudity, drug abuse, and other similar elements. In making the evaluation, the Board shall not consider the pieces or portions of the material in isolation but shall look at the submitted material in its entirety. It shall base its decision on what is seen or heard and not on what is imagined.

SECTION 2. **Rating of Optical Media Material for Private Viewing** – All optical media materials subject to review under the preceding sections shall be rated as GENERAL PATRONAGE (“G”); PARENTAL GUIDANCE (“PG”); RESTRICTED (“R”); and DISAPPROVED (“X”), which shall be understood, as follows:

- A. GENERAL PATRONAGE (“G”) – Suitable for all ages. Material which, in the judgment of the Board, does not contain any objectionable content that would be deemed offensive by parents whose younger children were to view the material. While some snippets of language may go beyond polite conversation, they should be common everyday expressions. Violence should be minimal. There is no sexually oriented nudity. Any drug use content pushes “G” to a “PG” rating.
- B. PARENTAL GUIDANCE (“PG”) – Parental guidance suggested. Material which, in the judgment of the Board, goes beyond a “G” classification in theme, violence, nudity, sensuality, language, or other contents but does not fall within the parameters of a “STRICTLY FOR ADULTS” (“R”) rating. Though it may contain adult material, it is nevertheless permissible for children to view under the guidance and supervision of a parent or adult.

The PARENTAL GUIDANCE (“PG”) classification exhorts parents to exercise parental responsibility to supervise the viewing of the material by children.

- C. RESTRICTED (“R”) – For adults only. An adult for the purposes of these rules are persons eighteen (18) years old or above. Restricted optical media materials are materials in which, in the judgment of the Board, contain adult material not suitable for children and minors under any and all circumstances. These contain vulgar or profane language, considerable sex and violence, sexually oriented nudity, tolerant depiction of aberrational behavior.

The RESTRICTED (“R”) classification exhorts parents to exercise parental responsibility and diligence to prevent access to this material by children.

- D. DISAPPROVED (“X”) - Material which, in the judgment of the Board, using as standard contemporary Filipino cultural values, finds the same objectionable either for being immoral, indecent, libelous, contrary to law or good customs, injurious to the prestige of the Republic of the Philippines and its people.

SECTION 3. *Review of Similar Matter Already Reviewed for Theatrical and/or television Exhibition* – Any material reviewed and classified by the Board for theatrical and/or television exhibition shall be classified and issued the corresponding rating for private viewing without necessity of review in accordance with the following table, provided that, a duly accomplished application has been filed, the corresponding review fees have been paid and the submitted optical media material is the same unedited version.

Rating for Theatrical Exhibition	Rating for Private Viewing
G	G
PG	PG
R 13	PG
R 18	R

Rating for Television	Rating for Private Viewing
G	G
PG	PG

SECTION 4. *Display of Rating on Optical Media Material Credits, Label and Product Packaging* – A Board approved MTRCB insignia and approval rating of the Board shall be incorporated and prominently displayed in the credits, label, and product packaging of all approved optical media material prior to its distribution, sale, or lease.

RULE 7 Procedure of Review and Classification

SECTION 1. *First Review, Designation of Reviewer/Committee* –

- a. **Review Committee** – A proper application having been filed before the Board, the Chairman of the Board or thru a committee of at least three (3) board members present appointed by the Chairman shall designate one (1) board member to review the optical media material. The Chairman of the Board may, due to sensitive nature of the material, designate and/or refer the material to a committee of at least three (3) board members.
- b. **Classification/Rating** – The reviewer or committee, shall render a decision and rate the same accordingly and not order deletions, or erasures in the optical media material.
- c. **Decision** – The decision shall be in writing, stating therein the reason/s either for the approval or denial of the audience classification desired. A committee member dissenting from the majority opinion may state therein the reason/s of his dissent.
- d. **Ten (10) Day Period** – The Board shall, at best efforts, review and classify the material or resolve a motion for reconsideration or reclassification within ten (10) working days from receipt of a duly accomplished review application/motion and payment of the review fee. The decision, including the dissenting opinion, if any, shall immediately be transmitted to the Chairman of the Board for notification to the applicant.
- e. **Motion for Reconsideration** – In the event of a Disapproved “X” rating, the applicant may file a Motion for Reconsideration within five (5) working days from notice of the decision.

- f. **Motion for Reclassification** – An applicant desiring a change in the approved rating issued may file a Motion for Reclassification within five (5) working days from notice of the decision.
- g. **Revisions** – The applicant moving for a reconsideration of a disapproved material or reclassification for a less restrictive audience rating may at its own initiative institute revisions in the subject optical media material.
- h. **Committee on Second Review** – Upon receipt of the motion for reconsideration or motion for reclassification, the Chairman of the Board shall designate a Committee on Second Review composed of at least five (5) board members. The members of the Committee on First Review shall not be appointed to the second committee.
- i. **Appeal to the Board En Banc** – the applicant may within ten (10) working days from receipt of denial of the motion for reconsideration or reclassification appeal the matter appeal the matter before the Board En Banc .
- j. **Final Decision** – The decision of the Board En Banc shall be final.

SECTION 2. ***Review Deemed Terminated*** – The review and classification process shall be deemed terminated only upon receipt of the decision by the Office of the Chairman of the Board.

SECTION 3. ***Custody of Review Materials*** – Optical media material submitted to the Board of review and classification shall remain in the custody of the Board for proper disposition.

Rule 8 Inspection of Business Premises

SECTION 1. ***Authority to Inspect*** – In the exercise of its regulatory and supervisory functions, the Board or its duly authorized representative shall be allowed, within business hours, unhindered entry and access into the business premises of the producers, reproducers, distributors, dealers, retailers and public exhibitors of optical media materials, for the purpose of inspecting and determining compliance with applicable provisions of Republic Act No. 9239, Presidential Decree 1986 and the herein rules and regulations.

Rule 9 Prohibited Acts/ Prosecution

SECTION 1. ***Prohibited Acts*** – the following are herein considered prohibited acts and in violation of Republic Acts 9239, Presidential Decree No. 1986 and their implementing rules and regulation:

- a. Reproducing, distributing, selling and/or leasing optical media materials that have not been submitted for review and classification to the Board.
- b. Reproducing, distributing, selling and/or leasing optical media materials disapproved by the Board.

- c. Selling and/or leasing optical media material that have been rated “r” to persons under eighteen (18) years of age and materials rated “PG” to persons under thirteen (13) years of age.
- d. Commercially possessing, reproducing, distributing, selling and/or leasing, optical media material included in the prohibited or warning list issued by the Board from time to time.
- e. Commercially possessing, producing, reproducing, distributing, selling and/or leasing pornographic optical media material.
- f. Commercially reproducing, distributing, selling and/or leasing optical media material untitled or falsely titled.
- g. Commercially possessing, reproducing, distributing, selling and/or leasing optical media materials without the approved MTRCB insignia/logo and rating incorporated and prominently displayed in the label, product package and/or in the credits thereof.
- h. Revising, editing or inserting disapproved or deleted portions into optical media material approved and rated by the Board.
- i. Deliberate misrepresentation committed in registering with or applying a Certificate of Classification from the Board.
- j. Failure to surrender to the Board optical media material involved in any violation.
- k. Switching, substituting, or in any manner tampering with the Board required labels.
- l. Refusal of an establishment to submit to inspection as required under Republic Act No. 9239, Presidential Decree No. 1986 and these Rules and Regulations.
- m. Publicly displaying of posters and other promotional/ advertising material not authorized by the Board.

SECTION 2. ***Criminal and Administrative Sanctions*** – Without prejudice to the institution of appropriate criminal actions, any violation of Republic Act No. 9239, its implementing rules and regulations, Presidential Decree No. 1986 and these rules and regulations shall be administratively penalized with suspension or cancellation of certificates of classification and/or registration issued by the Board and/imposition of other administrative penalties provided by law.

SECTION 3. ***Hearing and Adjudication*** – Any administrative case under the preceding section shall initially be submitted before the Office of the Chairman of the Board. Should the alleged offender voluntarily admit the charge/s, the Chairman shall impose the appropriate penalty. In the event the alleged offender denies or refutes the charge/s, the Chairman shall refer the case to the Hearing and Adjudication Committee composed of at least three (3) Board members designated by the Chairman. At least one member of the hearing and Adjudication Committee shall be a member of the Philippine Bar.

SECTION 4. ***Appeal*** – An appeal of the decision of the Hearing and Adjudication Committee may be filed before the Board en banc within ten (10) working days from receipt of said decision.

SECTION 5. ***Final Decision*** – The decision of the Board en banc shall be final.

SECTION 6. ***Suppletory Application*** - The Rules of Court shall have suppletory application.

Rule 10
Final Provisions

SECTION 1. *Separability Clause* – Should any section or provision of these rules and regulations be held to be invalid, the validity shall not affect the other provisions which shall remain in full force and effect.

SECTION 2. *Repeal* – Any prior rule, regulation, circular, or order that is inconsistent with the above provisions shall be deemed amended, modified or repealed.

SECTION 3. *Effectivity* – These rules and regulations shall take effect after fifteen (15) days following their publication in newspaper of general circulation in the Philippines.

Approved and promulgated by the Movie and Television Review and Classification Board on **20 July 2005**.

**RULES OF PROCEDURE
FOR THE CONDUCT OF REVIEW
OF THE MTRCB APPEALS COMMITTEE**

The following are the Rules of Procedure for the Conduct of Review by the Movie and Television Review and Classification Board (MTRCB) Appeals Committee on the Second Decision of MTRCB disapproving or prohibiting in its entirety, the exhibition of a motion picture or television program.

The MTRCB Appeals Committee (MTRCB-AC) has been reinstated by virtue of Executive Order No. 572 series of 2006.

Section 4 of E.O. No. 572 provides that the five-member MTRCB Appeals Committee shall have no other function than to review the *second decision* of MTRCB disapproving or prohibiting in its entirety the exhibition of a motion picture or television program. The decision of the MTRCB Board after a second review, disapproving or prohibiting the exhibition of a motion picture or television program in its entirety, shall be appealable to the Office of the President. The Appeals Committee, after conducting its own review, shall, within thirty (30) days from perfection of the appeal, submit its recommendations to the Office of the President.

Section 8 provides that the Committee may, in addition to Administrative Order No. 22, s. of 2011, prescribing rules and regulations governing appeals to the Office of the President of the Philippines and the provisions of E.O. No. 572, promulgate its own rules of procedure for the conduct of the review.

RULE I

POLICY STATEMENT

1.1. The *second decision* of the MTRCB Board shall be appealable to the Office of the President of the Philippines, through the Appeals Committee.

1.2. The MTRCB Appeals Committee shall be responsible for reviewing the *second decision* of MTRCB disapproving or prohibiting in its entirety the exhibition of a motion picture or television program.

1.3. In resolving the appeal, the MTRCB and other concerned agencies shall extend such assistance and cooperation as may be required by the Committee.

RULE II

SCOPE AND APPLICATION

2.1. These Rules shall govern the Appeal in reviewing the *second decision* of the MTRCB disapproving or prohibiting in its entirety the exhibition of a motion picture or television program.

2.2. These Rules shall be applicable to motion pictures, trailers of motion pictures or television programs subject for review.

2.3. It shall not apply to decisions of the MTRCB Board after a first review, disapproving or prohibiting the exhibition of a motion picture or television program in its entirety.

RULE III

PRINCIPLES AND GUIDELINES

3.1 The Appeals Committee is committed to nurturing and advancing Philippine Arts --- Films and Television Programs in particular. In line with this, the Appeals Committee adheres to the principles as found in “Annex A.”

3.2 In reviewing the material submitted on appeal, the Appeals Committee shall observe the basic guidelines as found in “Annex B.”

3.3 The Declaration of Principles and basic guidelines may be reviewed by the Appeals Committee from time to time as may be necessary.

RULE IV

PROCEDURE

4.1. Period to Appeal – A party adversely affected by the second decision of the MTRCB may appeal to the Office of the President within fifteen (15) days from notice to the aggrieved party of the MTRCB decision, or the denial in whole or in part of a motion for reconsideration duly filed in accordance with the governing law of the MTRCB.

4.2. Manner of Appeal – The appeal shall be taken upon the payment of the appeal fee and the filing of a Notice of Appeal with the Office of the President, with proof of service of a copy thereof to the MTRCB and the parties affected.

4.3 Appeal Fee – The appellant shall pay to the Office of the President the appeal fee of Php 1,500.00 within the same period that a Notice of Appeal is filed under 4.1 hereof.

4.4 Perfection of Appeal – The appeal shall be deemed perfected upon the filing of the Notice of Appeal, payment of the appeal fee, and the filing of the appeal memorandum.

4.5 Transmittal of Film Prints and/or Records – Within ten (10) days from receipt of a copy of the Notice of Appeal, the MTRCB shall transmit to the Office of the President the film or television material in its original form. This must be accompanied by the complete records of the case, with each page consecutively numbered and initialed by the custodian of the records. The film or television material in its original form must also have the summary of proceedings from the filing of the complaint or petition before the office of origin up to the transmittal to the Office of the President, the original material in chronological order indicating the actions taken, incidents resolved, and listing of all pleadings, motions, manifestations, annexes, exhibits and

other papers or documents filed by the parties, the corresponding orders, resolutions and decisions, as required by Memorandum Circular (MC) No.123 (s.1991)

4.6 Period to file appeal memorandum – The appeal memorandum shall be filed within thirty (30) days from the date the Notice of Appeal is filed, with proof of service of a copy thereof to the department or agency concerned and the affected parties.

4.7 Appeal memorandum – The appeal memorandum shall be filed in three (3) copies and shall (a) contain the caption and docket number of the case as presented in the office of origin and the addresses of the parties; (b) indicate the specific material dates showing that the appeal was filed within the period prescribed in Section 1 hereof; (c) contain a concise statement of the facts and issues and the grounds relied upon for the appeal; and (d) be accompanied by a clearly legible duplicate original or a certified true copy of the decision/resolution/order being appealed.

4.8 Non-compliance with requirements – The failure of the appellant to comply with any one (1) of the following requirements within the prescribed period shall be sufficient ground for the dismissal of the appeal: the filing of the notice of appeal, payment of the appeal fee or the filing of the appeal memorandum together with the necessary contents and documents which should accompany it.

4.9 Effect of Appeal – The appeal will not stay the execution of the MTRCB decision, unless the Office of the President orders otherwise.

4.10 The Appeals Committee, after conducting its own review, shall, within thirty (30) days from perfection of the appeal, submit its recommendations to the Office of the President.

4.11 Finality of Decision – Decisions of the Office of the President shall, except as otherwise provided for by special laws, become final after the lapse of fifteen (15) days from receipt of a copy thereof by the parties, unless a motion for reconsideration thereof is filed within such period. Only one motion for reconsideration by any one party shall be allowed and entertained, save in exceptionally meritorious cases.

4.12 Executory nature of decision – Notwithstanding an appeal or petition for review of the decision of the Office of the President to the Court of Appeals or the Supreme Court, the decision of the Office of the President shall be executory. The records of the case shall be remanded to the MTRCB where the case originated, unless the Court of Appeals or the Supreme Court issues an order staying the execution of the decision.

4.13 Withdrawal of appeal – An appeal may be withdrawn at any time prior to the promulgation of a decision of the Office of the President on the appeal, except when public interest is prejudiced thereby. Upon the approval of the withdrawal of an appeal, the case shall stand as if no appeal had ever been taken.

4.14. Dismissal of Appeal – The Appeal may be dismissed for failure to comply with the Orders of the MTRCB Appeals Committee issued in connection with the appeal.

4.15. Application of Rules of Court – The Rules of Court shall apply in a suppletory character whenever practicable.

RULE V

VOTING

5.1. Vote of Committee Members – Each Committee Member is entitled to only one vote. Proxy voting is not allowed.

5.2. Quorum in meetings – Every meeting of the MTRCB Appeals Committee shall be attended by a quorum of its members. A quorum shall consist of the majority of all members of the Committee who shall be present in order to be able to decide any appealed matter.

5.3. Who shall preside at meetings – The Chairman shall preside in all meetings and in his/her absence the Vice-Chairman shall preside.

5.4. Majority Vote – A simple majority vote of the members present in the meeting is needed to decide on the matter appealed.

5.5. Voting Slip – Each Committee Member is given a voting slip where he/she can write down his/her vote with an explanation. The voting slip will then be transmitted to the President together with the MTRCB Appeals Committee Recommendation.

5.6. Voting in Case of a Tie – In the event that the voting results in a tie, the Committee shall undergo a second vote wherein only three (3) members of the MTRCB Appeals Committee shall participate. Their participation in the vote shall be decided on the basis of drawing lots among the members who took part in the first vote.

RULE VI

OTHER PROVISIONS

6.1. Supplementary Rules – The MTRCB Appeals Committee may from time to time issue such supplementary rules as it may deem fit and necessary.

6.2. Amendment and Repeal – These Rules may also be amended or repealed by the MTRCB Appeals Committee during a regular meeting, or a special meeting called for that purpose.

6.3. Separability Clause – If any provision or part of these Rules of Procedure, or application of such provision to any circumstance, is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

6.4. Effectivity Clause – These Rules of Procedure shall take effect immediately upon publication in the Official Gazette or in a newspaper of general circulation.

Approved by the MTRCB Appeals Committee in its Regular Meeting on July 19, 2012, Manila City, Philippines.

WRYAN MARTIN CO-TE

Chairman

LESLEY JEANNE Y. CORDERO

Vice-Chairman

JO-ANN Q. MAGLIPON

Member

CARMELO T. CHIONGLO

Member

EARL SAAVEDRA

Member

ANNEX A

DECLARATION OF PRINCIPLES

- A. We believe that the freedom to express one's self is the freedom to express the totality of human experience. It is not limited to those whose opinions are considered safe, uncontroversial and tasteful. In our society, orthodox views and orthodox presentations are inherently accepted as "correct" and non-threatening. In need of greater protection is the freedom to express the unorthodox, the unpopular, and the controversial views and presentations.
- B. We also believe that the artist, with his *obra maestra*, and the bohemian with an unpopular persuasion, should not be silenced in the name of current convention, morality, or political stability. They should be allowed to play discordant notes to enrich Filipino culture, even at the risk of distressing it. To expect everyone to play the same tune is to strait-jacket all other innate potentials of expression. Films and other media should be exhibited even at the risk of shaking the foundations of society. This is the only way we may fully explore the new frontiers of human possibilities.

ANNEX B

BASIC GUIDELINES

- A. **CONTEXT.** The placement of the scene in the over-all narrative. A love scene is not put in simply to show flesh. It must clearly work to develop plot. Like any other scene, the love scene must be there for a reason, to work for the protagonists' characterizations, to be a set up for which there is a corresponding pay-off.

- B. CULTURE. Present community standards must be considered without either blanket approval or instant condemnation. What may be acceptable to one part of the world could be shocking to another.
- C. INTENTION. What does the film want to say? Who made the film? Is it an act made with no message? Made in a hurry by a salacious filmmaker with a track record of exploitative stuff that in no way enriches the country's culture?
- D. MANNER OF PRESENTATION. How is the film made? How is the story told? A pornographer does not need to bother with production values combining the best of direction, script, cinematography, editing, music, production design, sound and acting. He only wants to satisfy the market for prurient, degrading sex, debasing persons watching, pandering to their lower instincts, and all for profit, the producers' bottom line.¹⁹

¹⁹ Fr. Gerald W. Healy, S.J., Professor of Moral Theology Emeritus.